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GENERAL ADMINISTRATION (FREEDOM FIGHTERS PENSION-B) DEPARTMENT

G. O. (MS) 30/84/GAD. *Dated, Trivandrum, 27th January* 1984.

Read:—1. G.O. (MS) 49/83/GAD. dated 18-2-1983.
2. Letter No. E3-79868/82 dated 7-11-1983 from the District Collector, Kozhikode.

ORDER

Government are pleased to nominate Shri A. V. Kunhiraman Nair, Rama Nilayam, P.O. Kavilumpara (via) Kuttiadi, Calicut as a member of the District Advisory Committee of the Kozhikode District against the vacancy caused by the demise of Shri H. Manjunatha Rao, Ex. Mayor, East Hill, Calicut.

By order of the Governor,

J. JONES,
Under Secretary to Government.

To

Shri A. V. Kunhiraman Nair, Rama Nilayam, Kavilumpara P.O., Kuttiadi (via) Calicut.
The District Collector, Kozhikode.
The Accountant General, Kerala.
The Director of Public Relations, Trivandrum.
The Secretary to Govt. of India, Ministry of Home Affairs, New Delhi (with G L.)
stock file

Kerala Gazette No. 8 dated 21st February 1984.
PART I

GOVERNMENT OF KERALA

Abstract

KERALA FREEDOM FIGHTERS PENSION SCHEME—DISTRICT ADVISORY COMMITTEE OF QUILON DISTRICT—RECONSTITUTED—NOMINATION OF AN ADDITIONAL MEMBER TO THE DISTRICT ADVISORY COMMITTEE—ORDERS ISSUED.

GENERAL ADMINISTRATION (FREEDOM FIGHTERS PENSION-B) DEPARTMENT

G.O. (MS) 31/84/GAD. *Dated, Trivandrum, 27th January* 1984

Read:—1. G.O. (MS) 49/83/GAD dated 18-2-1983.
2. G.O. (MS) 123/83/GAD dated 31-5-1983
3. G.O. (MS) 327/83/GAD dated 11-10-1983.

ORDER

Government are pleased to nominate Shri Perathezhathu Janardhanan Pillai, Ex-Panchayat President, Thekkumbhagom, Chavara South, Quilon also as a member of the District Advisory Committee of the Quilon District.

By order of the Governor,

J. JONES,
Under Secretary to Government.

To

Shri Perathezhathu Janardhanan Pillai, Ex-Panchayat President, Thekkumbhagom, Chavara South, Quilon.
The District Collector, Quilon.
The Accountant General, Kerala.
The Secretary to Govt. of India, Ministry of Home Affairs, New Delhi (with G.L.)
The Finance Department.

Stock file

Kerala Gazette No. 8 dated 21st February 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1388/83/LBR. *Dated, Trivandrum, 2nd December 1983.*

The award of the Labour Court, Quilon in respect of the dispute between the Manager, Pamba Starch Industries, Ranni, Pazhavangadi P.O., Ranni and the workmen of the above concern represented by The President, Ranny Pamba Starch Factory Workers Union, Ranny received by Government on 18-11-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Quilon

Monday the 14th day of November, 1983/23rd Karthika, 1905

Present

SMT. C. VISALAKSHI AMMA, B.A., B.L.,

Presiding Officer

In

INDUSTRIAL DISPUTE No. 17/77

Between

The Manager, Pamba Starch Industries, Ranni,
Pazhavangadi P.O., Ranni.

And

The workmen of the above concern represented by the President,
Ranny Pamba Starch Factory Workers Union, Ranny.

Representations:—

Shri G. Gopalakrishna Pillai,
Advocate, Quilon. For *the Management*

Shri. M. Rajagopalan Nair,
Advocate, Quilon. For *the Union*

GA. 186/V.

AWARD

This Industrial Dispute between the above parties was referred to this Court, for adjudication regarding the "Dismissal of workers of Shri Madhavan Nair and Smt. Gowri Amma", as per G. O. (Rt) No. 260/77/LBR dated 17-2-1977. The case was taken on file and notices were issued to both parties.

2. The allegations unders the claim statement filed by the union representing the workers are as follows :—Shri K. Madhavan Nair and Smt. K. N. Gowri Amma were denied employment by the management from 23-3-1976. The management served a notice with false charges on Smt. Gowri Amma on 29-3-1976. The charges levelled were not specific and concise but were vague. No charge was served on Shri. Madhavan Nair, Subsequently, Smt. Gowri Amma received a notice dated 7-4-1976 from the Manager calling upon her to appear before him for an enquiry on 12-4-1976. In doing so the Manager was acting as prosecutor and judge. Smt. Gowri Amma appeared before him on 12-4-1976 at 11 a.m. and requested for an adjournment but the same was refused. The management did not conduct any enquiry in the case of Mr Madhavan Nair. The enquiry said to have been conducted against Smt. Gowriamma was in violation of all principles of natural justice. The manager failed to give reasonable opportunity to her to adduce evidence in the enquiry. The charges levelled against the workmen were not proved. Their dismissal is erroneous. They are both entitled to be reinstated with backwages.

3. The management filed a counter raising the following contentions :- There was no denial of employment to the workmen. There was no work in the factory from February, 1976 to 18-5-1976. The two workmen are husband and wife living under the same roof. They removed 11 logs of wood from the premises of the factory and concealed them in their house. The works Superintendent found out the stolen property in the house of the workmen and he reported the matter to the management on 22-3-1976. The logs were found in the house of the delinquent workmen and were indentified by other workmen of the factory. There was a police case also and the police recovered the stolen articles from the cutsody of the workmen. Subsequently the management conducted a domestic enquiry at which the workmen were given sufficient opportunity to explain their stand. There was no violation of the principles of natural justice. The workmen were ex parte and refused to give any replay to the charge sheet, even though the charge sheet was common. The dismissal was therefore proper and as such they are not entitled to be reinstated.

4. The union filed a replication traversing the contentions raised in the counter statement of the management. Thereafter, the manager of the factory who was the enquiry officer was examind as MW1 and Exts. M1 to M9 were marked to find out whether there was a proper enquiry and whether the finding is supported by evidence. After considering the evidence of the enquiry officer and records adduced by the management, this court by its order dated 23rd day of January, 1982 and found that the

enquiry was not properly conducted and that the finding is not supported by evidence. The findings of the enquiry officer was therefore set aside and the management was given an opportunity to adduce evidence to support the action taken by it. The findings of this court regarding the validity of enquiry proceedings is appended with the award.

5. The management thereafter adduced further evidence by examining MWs 2 to 5. Smt. K. N. Gowri Amma, one of the workmen is examined as WW1.

6. The point to be considered is whether, the dismissal of Smt. Gowriamma and Sri K. Madhavan Nair was proper. The allegation against the workmen is that they committed theft of 11 logs of timber belonging to the estate from the factory premises. The case of the management is that these logs of timber were found concealed in the house of the workmen which was found out by some of the employees of the factory and that they were identified to be the logs that belonged to the factory. The works Superintendent also identified the logs as that of the factory and reported the matter to the manager. Thereupon the manager issued M2 order directing the work superintendent to make necessary enquiries and take action against the workmen. The matter was reported to the police also and thereafter a domestic enquiry was conducted by MW1, the manager of the factory. Ext. M5 is the charge sheet memo issued in the names of both Sri. K. Madhavan Nair and Smt. Gowriamma stating therein that the 11 logs of wood that belonged to the factory were found concealed in their house and that when the matter was found out they had removed the articles to some other place on 23-3-1976. By that letter they were directed to give their explanation in the matter so as not to take any further action against them. Ext. M8 is the copy of the notice intimating the date of enquiry. As found by this court Ext. M8 was addressed to Smt. Gowriamma alone. M6 series would show that the notice issued to the worker, Madhavan Nair would not be served on him as he was not present in his house. The postman had therefore returned the notice to the sender. Thereafter no attempts were made by the management either to issue a fresh notice to Shr . Madhavan Nair or to intimate him regarding the enquiry proposed to be conducted against them. It is therefore clear that Madhavan Nair had no intimation regarding the allegation of theft raised against them or about the enquiry proposed to be conducted. Smt. Gowriamma would now swear that she had appeared before the enquiry officer on 12-4-1976 and applied for an adjournment of the enquiry bu that the manger had not paid any heed to her request. According to her the manager did not allow the petition for adjournment. The enquiry was held defective, by this court, mainly on the ground that it was not conducted in a proper way and that the management has also not succeeded in proving that the logs belonged to the factory. Hence the question now to be considered is whether, the theft alleged against the workmen is true. The evidence recorded by the management at the enquiry is marked as M9 series which consists of the depositions of three witnesses. Ext. M9 is the deposition of one

P. R. Raghavan Nair. He has stated therein that the logs of timber were seen removed to a particular place on Iythala road and that he was told by one Skariah that Gowriamma often used to visit that place. Ext. M9(a) is the deposition of one Ayyappan Sivan. He had deposed, that he had found some logs of timber concealed in Shri. Madhavan Nair's court yard and that two days hence he had heard the logs being removed elsewhere. He had no direct knowledge of such removal and his knowledge was only hear say. Ext. M9 (b) is the deposition given by one Raman Kutty, before the enquiry Officer. His evidence also is to the effect that he had seen identified 11 logs timber in the court yard of the workmen's house that the work Superintendent was informed about the matter and that the latter also had identified the logs to be those that belonged to the factory. It was on the basis of such evidence the enquiry officer came to the conclusion that the logs were those that belonged to the factory and that the workmen had stolen them from the factory premises. Before this court, the manager would state that the matter was reported to the police and that the police had recovered the logs of timber from the road- side, hear the house of one Skariah. MW2 examined before this court is one Abraham who would swear that in March 1976 he was informed by one Narayanan that 11 logs of wood were seen concealed in the court- yard of Madhavan Nair's house, and that they were the logs that belonged to the factory. He would further swear that the logs of wood were subequently recovered by the police from a place near the road, some one Kilometre away from the house of the workmen but that he does not know what happened to those logs recovered by them. MW3 is Narayanan who also would state that some logs were found in the house of the workmen and that they were identified to be the logs that belonged to the factory. At the same time the evidence of MW2 would show that there were no particular marks embedded in the logs so as to identify them as that of the factory property. MW2 has further deposed that there are no watchers attached to this factory as there will be work there during the night shift. It has also came out from the evidence in the case, that the house of Shri Madhavan Nair is about one Kilometre away from the factory. Hence, it is impro bable that Madhavan Nair would be able to remove these 11 logs of wood from the factory premises without attracting the attention of the night shift workers. MW4 would swear that he too was present when the mahaser was being prepared by the Police regarding the recovery of 11 logs of wood. The logs were recovered from the road side which is about one Kilometre away from the house of Madhavan Nair. But he does not know as to what happened to the logs recovered by the police. He is also not in a position to state as to who brought and kept the logs of wood by the side of the road. MW5 is the same Raghavan Nair, who gave Ext. M9 deposition before the manager. He too would state that he was present at the time when the police recovered 11 logs of wood from the road side near the house of Skariah. Thus the evidence as a whole would show that some logs of wood were recovered by the police from the road near the house of Skariah, but none of the witnesses is in a position to state as to what happened to the logs of wood recovered by the police or as to whether those logs of wood had been returned to the factory. If the logs of wood really belonged to the factory,

the police would have returned them to the management and the management would have been in a position to state that they have actually got back the logs from police custody. Smt. Gowriamma as WW1 would state that the police did not proceed to take any action against them as it was disclosed that they had not committed any offence. It is true that some of the witnesses have stated that some 11 logs of wood were found in the court yard of the workmen. But none of them has been able to prove that those were the logs that belonged to the factory or that the workers had stolen those timber from the factory premises. The evidence of MW3 would show that Ranny is a forest area where timber logs of such kind are available in large scale. In the circumstances without any clear proof it cannot defienitely be held that the logs of timber if any found in the court-yard of the workmen were those that belonged to the factory. There is also no evidence to show that any logs of timber were recovered by the police from the workmen, s house or premises. The recovery is said to have been actually made from the road in front of the house of one Skariah. In Ext. M9, MW5 had deposed that Skariah had informed him that Gowriamma often used to visit that place at the road side where the logs of wood were removed and kept. But as a witness before this court he is silent about that fact. As MW5 he would state that he does not know as to how the logs of timber happened to be placed at the road side. There is absolutely no evidence to show that it was Madhavan Nair or Gowriamma who had removed such logs of timber to the road side near the house of Skariah which is one furlong away from their house. In view of the facts it cannot definitely be held that the logs of wood either belonged to the factory or that the workmen had committed theft of any logs of timber from the factory premises. The management has not at all succeeded in proving that the logs belonged to the factory. There may be some suspension against the workmen, but suspecion however strong cannot take the place of proof. In the absence of clear and convincing proof the workmen cannot be found guilty of having committed theft of the logs of timber that belonged to the factory. No proper enquiry was also conducted against the workmen, Madhavan Nair was not even served with a charge memo or a notice regarding the proposed enquiry. In view of the above circumstance I find that the management has not succeeded in proving the allegations raised against the workmen.

7. The dismissal of the workmen is therefore not proper and hence the order of dismissal is liable to be set aside. I, therefore, find that the order of dismissal is not valid and that the workmen are entitled to be reinstated.

8. It is a well settled rule that in order to get the benefit of backwages, the dismissed workman has to prove that during the period of dismissal he was not gainfully employed elsewhere that in spite of his earnest effort he could not secure an alternate employment, so as to mitigate his loss. The workmen are, therefore, not entitled to get any backwages.

9. In the result an award is passed, holding that the orders of dismissal of the workmen is liable to be set aside and that both the workmen

are entitied to be reinstated but without any backwages or other benefits. The salary of the workmen on reinstatement will be the salary which they were drawing at the time of their dismissal. Parties will suffer costs.

This award shall came into force on the expiry of thirty days from the date of its publication in the Government Gazette.

C. VISALAKSHI AMMA,
Presiding Officer.

Appendix

Witnesses examined on the side of the Management:

M. W. 1 P. G. Nambiar
M. W. 2 E. M. Abraham
M. W 3 T. N. Narayanan
M. W. 4 Abraham Maman
M. W. 5 P. R. Raghavan Nair

Exhibits marked on the side of the Management :

Ext. M1 Enquiry report
Ext. M2 Request of the Work Superintendent against the workers
Ext. M3 Notice dated 23-3-1976 issued by the Manager of the Pamba Starch Industries
Ext. M4 Petition submitted by T. N. Narayanan
Ext. M4 (a) Report of Sri E. M. Abraham
Ext. M4 (b) Do. Sri. P. R. Raghavan Nair
Ext. M5 Charge sheet Memo dated 29-3-1976
Ext. M6 Series do. dated 29-3-1976 including the covers, Acknowledgement receipt etc.
Ext.M7 Copy of Explanation submitted by Smt. Gowriamma, dated 1-11-1976
Ext. M8 Copy of notice dated 7-4-1976.
Ext. M9 Report of Sri. P. R. Raghavan dated 12-4-1976
Ext. M9(a) Deposition of Sri. Ayyappan Sivan
Ext. M9(b) Deposition of Sri. Raman Kutty

Witness marked on the side of the Worker:

WW1 K. N. Gowriamma

PRELIMINARY ORDER

This industrial dispute between the above parties was referred to this court for adjudication regarding the Dismissal of workers Sri Madhavan Nair and Gowri Amma, as per G. O. (Rt) No. 260/77/LBR dated 17-2-1977. The case was taken on file and notices were issued to both Parties. The entered appearance and filed their statements.

2. The following in brief are the allegations in the claim statement filed by the union representing the workers. Sri· K. Madhavan Nair and Smt. K. N. Gouri Amma were denied employment by the management from 23-3-1976. The latter served a notice with false charges on Gowri Amma on 29-3-1976. The charges levelled were vague. No charges was served on Sri Madhavan Nair. Subsequently, Smt. Gowri Amma recived a notice dated 7-4-1976 from the Manager calling upon her to appear before him for an enquiry on 12-4-1976. In doing so the Manager was acting as prosecutor and judge. Smt. Gowri Amma appeared before him on 12-4-1976 at 11 a. m. and requested for an adjournment but the same was refused. No enquiry was conducted against Madhavan Nair. The enquiry said to have been conducted against Smt. Gowriamma was in violation of all principles of natural justice. Th charges levelled against the workmen were not proved. Their dismissal is erroneous.

They may ordered to be reinstated with backwages.

3. The management contends as follows:- There was no denial of employment to the workmen. There was no work in the factory from February 1976 to 18-5-1976. The two workmen are husband and wife living under the same roof. They dishonestly removed 11 logs of wood belonging to the Management. The work Superintendent reported the matter to the management on 22-3-1976. The logs were found in the house of the delinquent workmen and were identified by other workmen of the factory. There was a police case also. Subsequently the management conducted a domestic enquiry at which the workmen were given sufficient opportunity to explain their stand. There was no violation of the principles of natural justice. The workmen were ex-parte. The dismissal was proper.

4. The union filed a replication traversing the contentions raised in the counter statement of the management.

5. The manager of the Factory who was the enquiry officer wa examined as MW1 and Exts. M1 to M9 were marked. The preliminary point whether there was a proper enquiry and whether the finding is perverse or unsupported by evidence is to be decided at this stage.

6. *The Point* : Ext M8 is the copy of the notice intimating the date of the enquiry. It is addressed only to Smt. Gowriamma. No evidence is produced to show that a similar notice was issued to or served on Sri Madhavan Nair. Since Ext. M8 was addressed only to Smt. Gowriamma there is no question of presuming that Sri. Madhavan Nair who was residing with her had also notice of any enquiry against him.

7. The allegation against the workmen is that they committed theft of 11 logs of timber belonging to the estate. The evidence recorded at the enquiry is marked as Ext. M9 series which constitutes the depositions of three witnesses. Ext. M9 is the deposition of one Raghavan Nair. He refers to an earlier statement given by him. But has not said anything else about the alleged delinquency. Ext. M9(a) is the deposition of one Ayyappan Sivan. He has deposed that he found some logs kept concealed in

Sri Madhavan Nair's courtyard. The rest of his evidence is hear-say. There is no acceptable evidence in his testimony to prove that the logs belonged to the factory. Ext. M9(b) is the deposition of one Raman Kutty. He has also deposed that he saw 11 logs in the courtyard of the workers' house. This is not sufficient to prove that the logs belonged to the factory. A finding of guilty reached on the basis such material is unsustainable as it is unsupported by any evidence.

8. In the result, I find that the enquiry was not properly conducted and that the finding is not supported by evidence. I set aside the findings of the enquiry officer. The management will be given an opportunity to support by evidence the action taken against the workmen.

C. VISALAKSHI AMMA,
Presiding Officer.

Kerala Gazette No. 8 dated 21st February 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1362/83/LBR. *Dated, Trivandrum, 28th November, 1983.*

The award of the Labour Court Ernakulam in respect of the dispute between the Chairman, Mar Themotheus Charities, M. C. Road, Trichur-1 and the workmen of the above concern represented by the General Secretary, Kerala Kuri Company Employees Union, Regd. No. 12/66, Chalissery Buildings, Round West, Trichur received by Government on 15-11-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Wednesday, the 9th day of November 1983

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 26 OF 1981

Between

The Chairman, Mar Themotheus Charities, M. C. Road, Trichur-1

And

The workmen of the above concern represented by the General Secretary, Kerala Kuri Company Employees Union, Regd. No. 12/66, Chalissery Buildings, Round West, Trichur.

Representations:

Shri M. Venugopalan, Advocate, Trichur — For *Management.*

Shri M. Ramachandran, Advocate, Ernakulam. — For *Union.*

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 541/81/LBR dated 10-4-1981 is the following:

"Dismissal of Sri. James Thomas Ukken, Peon (Litigation.)"

II. The dismissal was after a domestic enquiry the correctness of which was seriously challenged by the Union. The validity of the domestic enquiry was considered as preliminary issue and I found as per my order dated 2-11-1983 that there was a proper and valid domestic enquiry. The findings of the Enquiry Officer were also confirmed by me. Facts necessary for the disposal of the case have been narrated in that preliminary order which I shall extract here in full :—

PRELIMINARY ORDER

Shri James Thomas Ukken, Peon (Litigation) of the Mar Themotheus Charities, Trichur (hereinafter referred to as the Management) was dismissed in a disciplinary proceedings and the correctness of the same is being challenged by the Union. The dismissal was after a domestic enquiry conducted by MW1, an Advocate. MW1 found in Ext. M1 (a) that the workman was guilty of the charges attributed to him. The dismissal followed on the basis of those findings.

2. The Union in the charter of demand appended to the reference as well as the rejoinder filed before this court complains that there was no proper and valid domestic enquiry. It is further alleged that the workman who was an executive member of the Union was victimised on account of his active Participation in the affairs of the Union. Reinstatement with all benefits is claimed. The Management on the other hand contends that the allegation of victimisation is raised without any reasonable basis. According to it, it was not even known that Shri James Thomas Ukken was a member of the Executive Committe of the Union. The action is defended by the Management saying that the workman was really guilty of the charges and that the findings rendered by the Enquiry Officer were arrived at in a properly conducted domestic enquiry giving all opportunities to the workman to explain his innocence. The punishment, according to the Management, was proportionate to the gravity of the misconduct proved and therefore the workman is not entitled to any reliefs.

3. In view of the rival contentions concerning the domestic enquiry it was proposed to decide that question as a preliminary issue. The Management examined the Enquiry Officer as MW1 and proved Ext. MI file which contains the relevant documents concerning the enquiry. Ext. M2, a letter addressed to the Enquiry Officer by the workman after the enquiry, was also proved. The workman limited his evidence to his own testimony as WW1. The point arising for consideration at this stage is as to whether therewas a proper and valid domestic enquiry.

4. Certain facts are admitted. The Management had obtained a decree against one of its customers for realisation of money in O. S. 40/72 of the Sub Court, Trichur. In execution of that decree an item of immovable property belonging to the Judgement- debtor was sold in court auction and purchased by the Management on 18-12-1978. Delivery of that property was ordered by the Court as per the Sale sannad. The delivery was fixed to 4-12-1979. (The delivery warrant was proved as Ext. M1 at the enquiry). Therein this workman was authorised to take delivery on behalf of the Management as its agent. The workman along with Sri Pavu, another employee of the Management, was deputed to accompany the Amin to the spot and obtain delivery of the property. Accordingly the workman was also present along with Shri Pavu when Amin visited the spot for delivery. The delivery was not effected since the workman made an endorsement in the delivery warrant that it is not necessary to effect the delivery. So the Amin returned without effecting the delivery and reported to the court that delivery was not effected on account of the endorsement made by this workman.

5. On the basis of the above developments the Management issued Ext. M3 charge to the workman alleging that he had committed a misconduct in having made an unauthorised representation to the Amin that no delivery need be effected and that he had done so in collusion with the Judgment debtor in O. S. 40/72 with a view to cause loss to the Management especially because the period of limitation prescribed for obtaining delivery was fast expiring. To this charge the workman submitted his explanation stating that Sri Pavu was actually in charge of the delivery operations and he had made an endorsement in the delivery warrant stating that delivery is unnecessary on instructions from him and he did so only because he was the person mentioned as the authorised representative of the Management in that warrant. He also denied the allegation that there was collusion with the Judgment-debtor and an intention to cause loss to the Management. He explained further that the Judgment debtor had promised to Shri Pavu to pay the amount involved in the litigation to the Management and that was an added circumstance for him to instruct the Amin not to effect the delivery. In view of that explanation the Management issued a memo to Shri Pavu calling upon him to explain the situation stated by the workman in his explanation. Shri Pavu filed an explanation stating that he did not give any instruction in the matter of delivery to the workman and that the workman had acted on his own initiative. Thereupon the Management issued another memo to the workman and attempted to serve it on him through local delivery on 18-1-1980. He refused to accept that memo and that was treated as an additional item of charge.

6. It is the admitted case that the workman had notice of the enquiry that was fixed to 9-2-1980. The workman participated in that enquiry along with the President and the Secretary of the Union. The office bearers of the Union were permitted to act on behalf of the workman. Initially the workman was asked as to whether he had committed the misconducts attributed to

him. While admitting that he had made the endorsement in the delivery warrant the denied the other imputations. Thereupon the Management examined its Manager as the first witness. It is the admitted case that that witness was cross-examined on behalf of the workman by the President of the Union. But the workman or his representatives did not sign that deposition. Two more witnesses were examined in continuation. They were not cross-examined. MW1 had made endorsements in the depositions of those two witnesses that the workman and his representatives did not cross-examine those witnesses even though they were present. It is further recorded in the proceedings maintained by the Enquiry Officer that the workman asked to adduce evidence stated that he has no evidence to be adduced. The enquiry was thus closed and the findings followed. The findings are dated 25-2-1980. In the meanwhile the workman issued Ext. M2 letter by registered post to the Enquiry Officer on 9-2-1980 and it is admitted by MW1 that he received the same on 12-2-1980. It was complained therein that no witnesses were examined in the presence of the workman and that the Enquiry Officer was not impartial at the enquiry. It was requested in that letter that the adjourned date of the enquiry may be intimated. MW1 did not attach any importance to this letter and what is stated by him is that he also did not care to reply.

7. The specific complaint raised in Ext. M2 was that no witnesses were examined on 9-2-1980 and the Enquiry Officer was biased and partial even though the workman and his representatives were ready and willing to co-operate. In the charter of demands dated 9-3-1980 no details were given except a vague statement that the Management had conducted a false domestic enquiry. No further details regarding facts are given in the rejoinder. There also there is only a general statement that the enquiry was held in violation of principles of natural justice and the findings are perverse. When we come to the stage of evidence the workman states as WW1 that MW1 did not record the depositions of the witnesses correctly and therefore he refused to sign them. He goes on to say that one witness alone was examined in his presence. In cross-examination he states that the deposition of the first witness was read over to him and then he staged a walk out since he was convinced that what was recorded was not a true account of the statement given by the witness. In another context he says that the statement given by him before the Enquiry Officer was incorrectly recorded and that was the complaint which he had. At any rate he had admitted that at least one witness was examined in his presence. That means that his complaint in Ext. M2 that no witnesses were examined in his presence is totally false.

8. MW1 is an Advocate. He swears that Ext. M1 contains a true and accurate account of the proceedings held at the domestic enquiry. He has given further evidence that the President of the Union who was present along with its Secretary cross-examined the first witness and they stated that they have no cross-examination of the remaining two witnesses who were also examined in their presence. Endorsements to that effect are present in the depositions of the witnesses also. No specific suggestions are

made in the cross-examination of MW1 that he had adopted any particular attitude from which a reasonable apprehension that he is biased and partial could have been had. The workman as WW1 has stated that MW1 was not known to him before the date of the enquiry. I have already indicated that the workman has no consistent case and that the position taken up by him in Ext. M2 is not correct at all. Admittedly the then president and Secretary of the Union ware present at the enquiry and it was easy to examine at least one of them to corroborate the testimony of WW1 that things happened in a different manner than what is recorded in Ext. M1. In these state of affairs the testimony of MW1 that Ext. M1 contains anaccurate record of the proceedings actually held at the enquiry in the presence of the workman has to be accepted as true and I do so.

9. Now we have to examine as to whether any of the principles of natural Justice have been violated. It is the admitted case that the workman had been served with a charge memo giving the details of the allegation. He was given an opportunity to file his explanation. He availed of that opportunity and stated that Sri Pavu was responsible for stopping delivery of the property. Pavu's explanation was also sought for. He pleaded innocence. Naturally the Management accepted that explanation in the face of the record where this workman was authorised to take delivery and he made the endorsement that delivery is not necessary. So it proceeded against the workman and then he refused to accept a memo for which an additional charge was framed and served. He had notice of the enquiry and he participated in it throughout. One complaint is that he was not served with copies of the relevant records before the enquiry commenced. In the notice proposing to conduct the enquiry, copy of which is available in Ext. M1 and proved at the enquiry as Ext. M7, the names of three witnesses examined at the enquiry were mentioned as the proposed witnesses for the Management. The list of documents intended to be used against him was also stated. One complaint now is that the workman was not given advance copies of those documents. Another complaint is that the workman was not permitted to peruse the records at the time of the enquiry. The Enquiry Officer has given evidence that the workman was permitted to peruse the records at the enquiry. In the circumstances of this case the testimony of MW1 has to be preferred on this regard to the denial made by WW1. Regarding the other complaint that advance copies were not furnished it has to be seen as to whether the failure had really prejudiced the workman. Two of the six documents were the charge memo issued to this workman and the explanations submitted by him. Two others were the memos issued to Sri Pavu and the reply submitted by him. One other document was the delivery warrant in which the workman admittedly had made the endorsment that delivery need not be effected. The remaining document was a communication issued Sri O. P. Rappai, an Advocate who was conducting the case O. S. 40/72, wherein he had mentioned that delivery was not effected on the basis of an endorsement made by the authorised representative. He had further stated therein that it is risky to leave matters as it was since the period of Limitation was about to expire. These documents

were proved through the first witness. At the enquiry the most important document proved was the delivery warrant and the purpose for the production was to show that the workman had made an endorsement therein. Admitedly there was such an endorsement. The other documents are not very much material. When viewed in this background the failure to serve the copies of documents in advance did not prejudicely affect the workman. It has also to be said that the workman was assisted by responsible office bearers of the Union. The workman could very well have sought for an adjournment of the enquiry if as a matter of fact he had felt any difficulty in cross-examining the first witness with particular reference to the documents without further scrutiny and study. He did not do so. The stand taken up by him in Ext. M2 which is proved to be against facts is an indicasion from which it could be inferred that the wanted only to create some confusion so that he may later take advantage of the same. That the intention was so is evident from the attitude taken at the enquiry also. The workman and his representatives refused to sign the proceedings and the depositions. If as a matter of fact he had any particular complaint about any particular portins of the record then the proper course would have been to make a record to that effect in the proceedings and to sign with that dissent. When all these facts and circumstances are taken together it is clear that the workman was given all possible opportunities to defend himself and he purposely refused to sign the records. When that is the position it cannot now legitimately be complained that the workman was not given sufficient opportunities to defend himself. The records reveal that the principles of natural Justice have not in any way been violated by the Management in the matter of disciplinary proceedings or the enquiry officer at the domestic enquiry. I hold that there was a proper and valid domestic enquiry.

10. There is yet another complaint and that is that the findings of the Enquiry Officer are perverse. The delivery warrant which was accepted as Ext. M1 at the enquiry shows that this workman was the authorised representative to accept the delivery. He is seen to have made an endorsement therein (that is admitted also) that the delivery need not be effected. The Manager of the Management Company as the first witness has given evidence that no instructions were issued to make such an endorsment or to stop the delivery. It is also not probable for the Management to have issued such an instruction as the period of limitation for taking delivery was to expire shortly. That the position was so is evident from the testimony of the third witness at the enquiry. He was the Advocate conducting the execution proceedings on behalf of the Management. The 2nd witness examined is Shri Pavu. He had also given evidence that the defence advanced that the delivery was stopped at his instance is not true. The evidence given by the first witness is that Shri James Thomas Ukken was the experienced litigation agent even though he is designated as a peon in the litigation department and that Pavu was only recently recruited to that Department. The fact that Sri James Thomas Ukken was the authorised agent as per the record is a sufficient indication to infer that he was the person responsible. It can also be inferred that he who was an experienced

person in the litigation department would not have followed the oral instructions of Shri Pavu without proper directions from the Management in a serious matter like this. So the defence is not in any way established at the enquiry. It was possible to adduce independent evidence that things happened as is stated by him. The Amin could have heen examined. Nothing of that sort is done. When that is the position the findings that Shri James Thomas Ukken stopped delivery on his own initiative has to be accepted. The further allegation that such a cause was adopted in collusion with the Judgement debtor with a view to cause loss to the Management has to he inferred from the attendant circumstances especially when the period of limitation for taking delivery was fast expiring. There is also evidence that the situation was not reported to any of the responsible officers of the Management's hy Shri James Thomas Ukken in time. The Management got information as per the evidence only when enquiries were made hy the Managers' Advocate as to how and when the delivery was stopped. In these state of affairs the findings of the enquiry officer that Shri James Thomas Ukken was guilty of the misconduct attributed to him inregard to the matter of delivery is correct and proper.

11. There is an additional charge of refusal to accept the memo. Admittedly the memo was tendered and Shri James Thomas Ukken refused to accept it. His explanation is that a closed cover was sought to be served on him entering the acknowledgement in the local delivery book and that he was afraid that acceptance of such closed communication may work out to his disadvantage. This is no valid explanation and so he is guilty of the additional item of charge also.

12. In the result it is herehy found that the findings of guilt are correct and they were rendered hy the Enquiry Officer in a properly conducted domestic enquiry."

III. The question as to whether the workman is entitled to any reliefs in the matter of punishment as per Section 11-A of the Industrial Disputes Act was taken up for consideration after the above preliminary order. The Management had produced records to show that the antecedents of this workmen are not at all satisfactory. It had issued a show cause notice to the workman on 28-2-1980 asking him to state why he should not be dismissed. In that notice it was said that he was pardoned on two prior occasions in connection with misconducts attributed to him. His reply to that letter does not dispute the allegation that there were such developments previously. The Management had also produced documents to show that this workman is at present a partner in another firm carrying on a similar husiness as this Management is having. Attested copies of the Judgments are also produced by the Management to show that Shri James Thomas Ukken was convicted in a criminal case for assaulting the Managing Director of the Management firm after the dismissal in question. The misconduct proved in the present case is also serious. He stopped delivery without authority of a property that was taken in auction by the Management at a crucial time when the period of limitation for obtaining delivery was about

to expire. The subsequent conduct as well as the antecedents of the workman are also bad. In these state of affairs the punishment of dismissal is appropriate to the gravity of the misconduct proved and it is only to be confirmed. The workman is not, therefore; entitled to any reliefs.

IV. In the result an award is passed confirming the dismissal of Shri James Thomas Ukken. The workman is not entitled to any reliefs.

Ernakulam,
9-11-1983.

N. SUKUMARAN,
Presiding Officer.

Appendix

Witness examined on the Management's side:

MW1 Shri K. K. Gopinathan.

Witness examined an the Union's side

WW1 Shri James Thomas Ukken.

Exhibits marked on the Management's side:

Ext. M1. The file relating to the domestic enquiry.

,, M1 (a). Findings of the Enquiry Officer (in Ext. M1)

,, M2. A letter dated 9-2-1980 from Shri James Thomas Ukken to the Enquiry Officer.

Kerala Gazette No. 8 dated 21st February 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 1346/83/LBR. *Dated, Trivandrum, 23rd November* 1983.

The award of the Industrial Tribunal, Calicut in respect of the dispute between the Managing Partner, Mayilvahanam Industries, Shoranur & Mayilvahanam Implements, Shoranur, Palghat District and their workmen represented by (1) The Secretary, Kerala General Engineering & Mechanical Workers Union, Regd. No. 329/70, Nanthancode, Trivandrum (2) The Secretary, Engineering & Industrial Workers Union, CITU, Regd. No. Ottapalam, and (3) The Secretary, Palghat District Metal Workers Union, INTUC (I), Regd. No. 176, Shoranur-2 received by Government on 28-10-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. Sivadasan,
Deputy Secretary to Government.

Before The Court of the Industrial Tribunal, Calicut

(Saturday, the 22nd day of October, Nineteen hundred and eighty three)

Present:

Shri K. P. DEVADAS, B. A., B. L.,

Judge

In

INDUSTRIAL DISPUTE No. 6/83

Between

The Managing Partner, Mayilvahanam Industries, Shoranur & Mayilvahanam Implements, Shoranur, Palghat District

And

1. The Secretary, Kerala General Engineering & Mechanical Workers Union, Regd. No. 329/70, Nanthancode, Trivandrum.
2. The Secretary, Engineering & Industrial Workers Union, CITU, Regd. No. Ottapalam, and
3. The Secretary, Palghat District Metal Workers Union, INTUC (I), Regd. No. 176, Shoranur-2.

AWARD

"Quantum of bonus payable to workers of Mayilvahanam Industries, Shoranur and Mayilvahanam Implements, Shoranur during the year 1981-82" is the issue referred to this Tribunal for adjudication by Government of Kerala by Order No. G. O. Rt. 645/83/LBR dated 10-6-1983 between the above parties.

Despite registered notices to the unions all the unions remained absent. The management appeared and submitted that the matter has been settled and filed an extract of the settlement. The settlement is recorded and in the circumstances of the case it is held that the issue has been settled between the parties. Ordered accordingly.

K. P. DEVADAS,
Industrial Tribunal, Calicut.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1339/83/LBR. *Dated, Trivandrum, 23rd November 1983.*

The award of the Labour Court, Kozhikode in respect of the dispute between Sri Joy Nhalil (Estate Owner), P.O. Poolakutti, via Kuthuparamba and their workman represented by the Secretary, Plantation Labour Congress (KTUC), Tellicherry Division Committee, P.O. Keezhpally, 670704 received by Government on 15-11-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

Dated this the 13th day of October, 1983

Present:

HAJEE P.A. SHAHUL HAMEED, B.A., B.L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 15/81

Between

Sri Joy Nhalil (Estate Owner),
P.O. Poolakutti,
Via Koothuparamba. } *Management*

And

The Secretary,
Plantation Labour Congress (KTUC)
Tellicherry Division Committee,
P.O. Keezhpally,
670704. } *Union*

Representations:—

Sri P. Mustafa,
Advocate,
Cannanore. } For *the Management*

Sri Balagangadharan,
Advocate,
Tellicherry. } For *the Union*

AWARD

1. This Industrial Dispute is referred by the Government as per G.O. (Rt.) No. 642/81/LBR. dated 20-5-1981 regarding the denial of employment to Sri Pappachan alias Francis with effect from 27-1-1980 for adjudication. When this reference was received in this court, notices were issued to both parties.

2. The Secretary of the Plantation Labour Congress (K.T.U.C.) Tellicherry Division Committee filed a statement, stating that Pappachan was employed in the respondent managed estate from 1976 March onwards and he was denied employment from 27-1-1980. On 20-3-1980 the union interfered and a notice was sent to the management to reinstate the workman. He is also not paid the minimum wages due to him. Hence it is prayed that the workman may be reinstated to the post as originally held by him.

3. The management filed a counter-statement, stating that the allegations contained in the statement filed by the union is false. The respondent has not managed any estate. There is no an employee and employer relationship between the management and the workman and finally states that Pappachan is not an employee under the management.

4. No rejoinder has been filed.

5. From 10-2-1982, this case is draged on upto this date. Neither the workman nor the counsel is present in court on 10-3-1983. Counsel of management is present. Hence I adjourned to 11-5-1983. 11-5-1983 is adjourned to 13-7-1983. 13-7-1983 is adjourned to 28-7-1983. 28-7-1983 is adjourned to this date. Today also the workman and counsel absent. Declared ex parte. Counsel for the management is present.

6. The point to be decided is whether Pappachan is a workman under the management.

7. *Point*:—No evidence has been adduced by the workman to prove that he has worked under the management at any time nor any document has been produced in this court. Hence I pass the award holding that there is no denial of employment to Sri Pappachan with effect from 27-1-1980 by the management.

8. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 13th day of October, 1983.

Labour Court,
Kozhikode.

HAJEE P. A. SHAHUL HAMEED,
Presiding Officer.

GOVERNMENT OF KERALA

General Administration (Political C) Department

NOTIFICATION

No. 157943/Pol. C3/81/GAD. *Dated, Trivandrum, 24th January* 1984.

The following resolution of the Government of India regarding the reconstitution of the State Advisory Committee for the Territorial Army in the State of Kerala is republished in the Gazette for general information.

By order of the Governor,
M. DANDAPANI,
Commissioner and Secretary to Government.

RESOLUTION

(Ministry of Defence)

No. 1 dated 12th December 1983.— The President is pleased to direct that the State Advisory Committee for the Territorial Army in Kerala be reconstituted.

2. The Committee shall consist of:—

Chairman—Chief Minister, Kerala.

Official Members:—

(1) Secretary, General Administration, Government of Kerala, Trivandrum.

(2) Secretary, Labour Department, Government of Kerala, Trivandrum.

(3) Secretary, Industries Department, Government of Kerala, Trivandrum.

(4) Director of Employment, Kerala, Trivandrum.

(5) General Officer Commanding, Tamil Nadu, Karnataka and Kerala Area, Madras.

(6) Commander, Tamilnadu and Kerala Sub-Area, Fort St. George, Madras-9.

(7) Commander, Territorial Army Group Headquarters, Southern Command, Pune.

(8) Officer Commanding, 122 Infantry Battalion TA, Burnacherry Post, Cannanore.

Non-Official Members:—

(1) Shri V. S. Vijaya Raghavan, M. P. (Lok Sabha).

(2) Maj. Gen. Raghunath (Retd.), Executive Director, Keltron Complex, Keltron Nagar, P.O. Kalliasseri, Cannanore.

(3) Col. J.P. Zacharia (Retd.), Panampunna, Quilon-1.

(4) Group Capt. V. C. Nayanar (Retd.), Pattannur (via) Koodali, Cannanore.

(5) Lt. Col. P.S. Sivaraman Nair (Retd.), Sumangala, Kandad, Ramapuram, Kottayam.

(6) Lt. Col. K. Viswanath (Retd.), Puthiyabhavanam P.O., Chettippadi, Parappanangadi, Malappuram.

(7) Major K. Balakrishnan Nair, No. 84, P. T. P. Nagar, Trivandrum.

(8) Major C. C. Thampi, Vattaparambil, Mathilbhagom, Thiruvalla, Alleppey.

(9) Sq. Ldr. N. Ramavarma, Tripunithura, Ernakulam.

(10) Shri C.C. Vasudevan, AVSM (Retd.), No. 88 Chandranagar, Palghat.

(11) Shri P.A. Antony, Advocate, Ex-M.L.A., Trichur.

(12) Dr. Oommen, Chief Opthalmic Surgeon, Cannanore.

(13) The President or representative of the Indian Chamber of Commerce, Cochin.

Secretary.—

C.S.O. 2, Territorial Army Group Headquarters, Southern Command, Pune-2.

3. The tenure of appointment of non-official members of the Committee is three years.

4. The functions of the Committee will be (i) to advise the Government of India on matters relating to the development of Territorial Army in Kerala, (ii) to encourage recruitment to the Territorial Army and (iii) to consider any local problems relating to recruitment, development and training of the Territorial Army.

5. The non-official members of the Committee will be paid travelling allowance and daily allowance for attending the meetings of the Committee at the rates sanctioned in the Ministry of Finance O.M. No. F. 6 (26)-E-IV/59 dated the 5th September, 1960 as amended from time to time.

ORDER

6. Ordered that the foregoing be communicated to the Chief of the Army Staff, the financial Adviser, Defence Services and the Chief Secretary to the Government of Kerala.

7. Ordered also that the Resolution be published in the Gazette of India.

8. Ministry of Defence Resolution No. 10 dated the 27th February, 1979, published in the Gazette of India, Part I, Section 3, dated the 24th March, 1979 is hereby cancelled.

(Sd.)
K.A. NAMBIAR,
Joint Secretary to the Government of India.

കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണം-ബി) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 14549/ലഗ്-ബി1/83/ലാ. തിരുവനന്തപുരം, 1983 സെപ്റ്റംബർ 5/1905 ഭാദ്ര. 14.

1983 സെപ്റ്റംബർ 5-ാം തീയതി ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയ താഴെ പറയുന്ന ഓർഡിനൻസ്, പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവു പ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
നിയമ വകുപ്പ് സെക്രട്ടറി.

1983-ലെ 30-ാം നമ്പർ ഓർഡിനൻസ്

1983-ലെ കേരള പൊതുമുതൽ (നശിപ്പിക്കലും നഷ്ടപ്പെടുത്തലും തടയൽ) ഓർഡിനൻസ്

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിനാലാം സംവത്സരത്തിൽ കേരള ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയത്.

കേരള സംസ്ഥാനത്തിലെ പൊതുമുതലിനേയും പൊതുജനങ്ങളേയും സംബന്ധിച്ച ചില പ്രവൃത്തികൾക്ക് ശിക്ഷ നൽകാൻ വ്യവസ്ഥ ചെയ്യുന്നതിനുള്ള ഒരു ഓർഡിനൻസ്.

പീഠിക.—കേരള സംസ്ഥാന നിയമസഭ സമ്മേളനത്തിലല്ലാത്തതിനാലും സത്വര നടപടി എടുക്കേണ്ടത് ആവശ്യമാക്കിത്തീർക്കുന്ന സാഹചര്യങ്ങൾ നിലവിലുണ്ടെന്ന് കേരളഗവർണ്ണർക്ക് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും;

ഇൻഡ്യൻ ഭരണഘടന 213-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡത്തിന്റെ ക്ലിപ്ത നിബന്ധനയനുസരിച്ച് രാഷ്ട്രപതിയിൽ നിന്നും നിർദ്ദേശം ലഭിച്ചിട്ടുള്ളതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ഇൻഡ്യൻ ഭരണഘടന 213-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള ഗവർണ്ണർ താഴെപ്പറയുന്ന ഓർഡിനൻസ് വിളംബരപ്പെടുത്തുന്നു:—

1. ചുരുക്കപ്പേരും ആരംഭവും.—(1) ഈ ഓർഡിനൻസിന് 1983-ലെ കേരള പൊതുമുതൽ (നശിപ്പിക്കലും നഷ്ടപ്പെടുത്തലും തടയൽ) ഓർഡിനൻസ് എന്ന് പേർ പറയാം.

(2) ഇതു ഉടൻതന്നെ പ്രാബല്യത്തിൽ വരുന്നതാണ്.

2. പൊതുമുതലോ യന്ത്ര സാമഗ്രിയോ സംബന്ധിച്ച് ദ്രോഹ പ്രവൃത്തി ചെയ്യുന്നതിന് ശിക്ഷ.—ആരെങ്കിലും (i) ജംഗമമോ സ്ഥാവരമോ ആയ ഏതെങ്കിലും പൊതു മുതലിനേയോ അഥവാ യന്ത്ര സാമഗ്രിയേയോ സംബന്ധിച്ച് ഏതെങ്കിലും പ്രവൃത്തി ചെയ്ത് നാശം വരുത്തുകയും അത്മൂലം നൂറു രൂപയോ അതിൽ കൂടുതലോ വരുന്ന തുകയ്ക്കുള്ള നഷ്ടമോ നാശമോ വരുത്തുകയോ ; അഥവാ

(ii) പൊതുജനങ്ങൾക്കോ അഥവാ ഏതെങ്കിലും ആൾക്ക് ഏതെങ്കിലും ആവശ്യത്തിനോ ഉള്ള ജലവിതരണത്തിന് എന്തെങ്കിലും കുറവു വരുത്താനോ അഥവാ ഏതെങ്കിലും പൊതു ഓട കവിഞ്ഞൊഴുകാനോ അതിന് തടസ്സം സൃഷ്ടിക്കാനോ ഇടയാക്കുന്നതോ അഥവാ ഇടയാക്കാനിടയുണ്ടെന്ന് അയാൾക്കറിയാവുന്നതോ ആയ ഏതെങ്കിലും കാര്യം ചെയ്ത് ദ്രോഹ പ്രവൃത്തി ചെയ്യുകയോ ; അഥവാ

(iii) പ്രകൃതിദത്തമോ മനുഷ്യ നിർമ്മിതമോ ആയ ഏതെങ്കിലും പൊതു റോഡോ പാലമോ ഗതാഗതയോഗ്യമായ തോടോ സഞ്ചാരയോഗ്യമല്ലാതാക്കുകയോ അഥവാ സഞ്ചാരത്തിനോ സാധനങ്ങൾ കൊണ്ടുപോകുന്നതിനോ സുരക്ഷിതത്വം കുറഞ്ഞതാക്കുകയോ ചെയ്യുന്ന ഏതെങ്കിലും കാര്യം ചെയ്ത് ദ്രോഹപ്രവൃത്തി ചെയ്യുകയോ ; അഥവാ

(iv) ജംഗമമോ സ്ഥാവരമോ ആയ ഏതെങ്കിലും പൊതു മുതലുകൾക്കോ യന്ത്രസാമഗ്രികൾക്കോ നൂറു രൂപയോ അതിൽ കൂടുതലോ വരുന്ന തുകയ്ക്കുള്ള നഷ്ടം വരുത്തുന്നതിനുദ്ദേശിച്ചുകൊണ്ടോ താൻ അതുമൂലം നഷ്ടം ഉണ്ടാക്കാൻ ഇടയുണ്ടാക്കുമെന്ന് അറിഞ്ഞുകൊണ്ടോ തീയോ ഏതെങ്കിലും സ്ഫോടക വസ്തുവോ കൊണ്ട് ദ്രോഹപ്രവൃത്തി ചെയ്യുകയോ നാശം വരുത്തുകയോ ചെയ്താൽ അയാളെ ആറു മാസത്തിൽ കുറയാത്തതും എന്നാൽ അഞ്ചുവർഷംവരെ വരാവുന്നതുമായ തടവിനും പിഴയ്ക്കും ശിക്ഷിക്കേണ്ടതാണ് ;

എന്നാൽ കോടതിക്ക് വിധിന്യായത്തിൽ പറയേണ്ട മതിയായതും പ്രത്യേകവുമായ ഏതെങ്കിലും കാരണങ്ങളാൽ ആറുമാസത്തിൽ കുറഞ്ഞുള്ള കാലത്തേയ്ക്കും തടവുശിക്ഷ വിധിക്കാവുന്നതാണ്.

വിശദീകരണം.—ഈ വകുപ്പിന്റെ ആവശ്യങ്ങൾക്കുവേണ്ടി,—

(i) "ദ്രോഹപ്രവൃത്തി" എന്നതിന് ഇൻഡ്യൻ ശിക്ഷാനിയമം (1860-ലെ 45-ാം കേന്ദ്ര ആക്റ്റ്) 425-ാം വകുപ്പിൽ പറയുന്ന അതേ അർത്ഥം ഉണ്ടായിരിക്കുന്നതാണ്.

(ii) "ജംഗമമോ സ്ഥാവരമോ ആയ പൊതുമുതൽ അല്ലെങ്കിൽ യന്ത്ര സാമഗ്രി" എന്നാൽ—

(എ) സംസ്ഥാന സർക്കാരിന്റെയോ; അഥവാ

(ബി) കേരളാ സ്റ്റേറ്റ് ഇലക്ട്രിസിറ്റി ബോർഡിന്റെയോ കേരള സ്റ്റേറ്റ് റോഡ് ട്രാൻസ്പോർട്ട് കോർപ്പറേഷന്റേയോ അഥവാ സംസ്ഥാന സർക്കാരിന്റെ ഉടമയിലോ നിയന്ത്രണത്തിലോ ഉള്ള മറ്റേതെങ്കിലും കോർപ്പറേഷന്റേയോ പൊതുമേഖലാ സംരംഭത്തിന്റേയോ, അഥവാ

(സി) കേരള സംസ്ഥാനത്തെ ഏതെങ്കിലും സർവ്വകലാശാലയുടേയോ ; അഥവാ

(ഡി) ഗസററു വിജ്ഞാപനംമൂലം സംസ്ഥാന സർക്കാർ ഇതിനു വേണ്ടി പ്രത്യേകം പറയുന്ന മററേതെങ്കിലും സ്ഥാപനത്തിൻെറയോ ഉടമസ്ഥതയിലോ നിയന്ത്രണത്തിലോ ഉള്ള ഏതെങ്കിലും മുതലോ യന്ത്രസാമഗ്രിയോ എന്നർത്ഥമാകുന്നു.

3. മോട്ടോർ വാഹനങ്ങളിൽ യാത്രചെയ്യുന്ന ആളുകളുടെ മേൽ കല്ല്, ഇഷ്ടിക മുതലായവ എറിയുന്നതിനുള്ള ശിക്ഷ.—ഏതെങ്കിലും മോട്ടോർ വാഹനത്തിൽ സഞ്ചരിക്കുന്ന ആളുകളുടെമേൽ കല്ലോ ഇഷ്ടികയോ സോഡാ കുപ്പികളോ മററേതെങ്കിലും വസ്തുവോ, എന്തായാലും വേണ്ടതില്ല എറിയുകയോ അഥവാ എറിയാൻ പ്രേരിപ്പിക്കുകയോ ഉൽസാഹിപ്പിക്കുകയോ അല്ലെങ്കിൽ മററുവിധത്തിൽ പ്രേരണ നൽകുകയോ ചെയ്യുന്ന ഏതൊരാളെയും ആറുമാസത്തിൽ കുറയാതെയുള്ളതും എന്നാൽ അഞ്ച് വർഷം വരെ വരാവുന്നതുമായ തടവിനും പിഴക്കും ശിക്ഷിക്കാവുന്നതാണ്:

എന്നാൽ കോടതിക്ക് വിധിയിൽ പറയേണ്ടുന്ന മതിയായതും പ്രത്യേകവുമായ ഏതെങ്കിലും കാരണങ്ങളാൽ ആറുമാസത്തിൽ കുറഞ്ഞ കാലത്തേക്ക് ഉള്ള തടവിനും ശിക്ഷിക്കാവുന്നതാണ്.

വിശദീകരണം.—ഈ വകുപ്പിൻെറ ആവശ്യങ്ങൾക്കുവേണ്ടി "മോട്ടോർ വാഹനം" എന്നതിന് 1939–ലെ മോട്ടോർവാഹന ആക്ററ് (1939-ലെ 4-ാം കേന്ദ്ര ആക്ററ്) 2-ാം വകുപ്പ് (18)-ാം ഖണ്ഡത്തിൽ പറഞ്ഞിട്ടുള്ള അതേ അർത്ഥം തന്നെ ഉണ്ടായിരിക്കുന്നതാണ്.

4. ജാമ്യം സംബന്ധിച്ച പ്രത്യേക വ്യവസ്ഥ.—2-ാം വകുപ്പോ 3-ാം വകുപ്പോ പ്രകാരം ആരുടെമേൽ ഒരു കുററം ചുമത്തപ്പെടുകയോ അഥവാ കുററം സ്ഥാപിക്കപ്പെടുകയോ ചെയ്യുന്നുവോ അങ്ങനെയുള്ള യാതൊരാളേയും, അയാൾ കസ്ററഡിയിലാണെങ്കിൽ, അയാളെ മോചിപ്പിക്കാനുള്ള ഒരപേക്ഷയെ എതിർക്കുവാൻ പ്രോസിക്യൂഷന് അവസരം നൽകിയിട്ടില്ലാത്തപക്ഷം, ജാമ്യത്തിൻമേലോ അഥവാ സ്വന്തം ജാമ്യത്തിൻമേലോ മോചിപ്പിക്കാൻ പാടുള്ളതല്ല.

5. നഷ്ട പരിഹാരം കൊടുക്കുന്നതിനുള്ള ഉത്തരവ്.—(1) ഈ ഓർഡിനൻസ്പ്രകാരമുള്ള ഒരു കുററത്തിന് പിഴശിക്ഷ ചുമത്തുന്നപക്ഷം കോടതിക്ക് വിധിന്യായം പാസ്സാക്കുമ്പോൾ, വസൂലാക്കുന്ന പിഴ മുഴുവനായോ അഥവാ അതിൻെറ ഏതെങ്കിലും ഭാഗമോ

(എ) പ്രോസിക്യൂഷൻ നടത്തിയപ്പോൾ യഥാവിധി നേരിട്ടിട്ടുള്ള ചെലവുകൾ കൊടുത്തു തീർക്കുന്നതിനും;

(ബി) കുററകൃത്യംമൂലം ഏതെങ്കിലും നഷ്ടമോ ഹാനിയോ സംഭവിച്ച ഏതെങ്കിലും ആൾക്ക് നഷ്ടപരിഹാരം നൽകുന്നതിനും ;

(സി) പ്രകൃതിദത്തമോ മനുഷ്യനിർമ്മിതമോ ആയ ഏതെങ്കിലും പൊതു റോഡോ പാലമോ ഗതാഗതയോഗ്യമായ തോടോ ഉൾപ്പെടെയുള്ള പൊതു മുതലോ യന്ത്രസാമഗ്രിയോ, അതതുസംഗതിപോലെ, മാററി സ്ഥാപിക്കുകയോ പൂർവ്വസ്ഥിതിയിലാക്കുകയോ ചെയ്യുന്നതിനും; വിനിയോഗിക്കാൻ ഉത്തരവിടാവുന്നതാണ്.

(2) അപ്പീലിന് വിധേയമായ ഒരു കേസിൽ പിഴ ചുമത്തുന്നപക്ഷം അത് അപ്പീൽ കൊടുക്കുന്നതിന് അനുവദിച്ചിട്ടുള്ള സമയം തീരുന്നതിനു മുമ്പും അല്ലെങ്കിൽ അപ്പീൽ കൊടുത്തു കഴിഞ്ഞതാണെങ്കിൽ അപ്പീലിൻെറ തീരുമാനത്തിന് മുമ്പും അപ്രകാരം പണം കൊടുക്കാൻ പാടില്ലാത്തതാണ്.

(3) ഒരു അപ്പീൽ കോടതിക്കോ ഹൈക്കോടതിക്കോ അല്ലെങ്കിൽ സെഷൻസ് കോടതിക്കോ അവയുടെ പുനഃപരിശോധനാധികാരം വിനിയോഗിക്കുമ്പോൾ ഈ വകുപ്പുപ്രകാരമുള്ള ഉത്തരവ് പുറപ്പെടുവിക്കാവുന്നതുമാണ്.

(4) ഇതേ സംഗതിയെ സംബന്ധിച്ച് പിന്നീടുണ്ടാകുന്ന ഏതെങ്കിലും സിവിൽ കേസിൽ നഷ്ടപരിഹാരം അനുവദിക്കുമ്പോൾ ഈ വകുപ്പുപ്രകാരം കൊടുത്തതോ വസൂലാക്കിയതോ ആയ തുക കൂടി കോടതി കണക്കിലെടുക്കേണ്ടതാണ്.

6. കുററങ്ങൾ വിചാരണ ചെയ്യുന്നതിനുള്ള അധികാരം.—ചീഫ് ജുഡീഷ്യൽ മജിസ്ട്രേട്ട് കോടതിക്ക് താഴെയുള്ള ഒരു കോടതിയും ഈ ഓർഡിനൻസ്പ്രകാരം ശിക്ഷാർഹമായിട്ടുള്ള യാതൊരു കുററവും വിചാരണ ചെയ്യാൻ പാടുള്ളതല്ല.

7. ഒഴിവാക്കൽ.—ഈ ഓർഡിനൻസിലെ വ്യവസ്ഥകൾ തൽക്കാലപ്രാബല്യത്തിലുള്ള മററതൊരു നിയമത്തിനും പുറമേയുള്ളതും അതിന് ദോഷം ചെയ്യുന്നതല്ലാത്തതും ഇതിൽ അടങ്ങിയിട്ടുള്ള യാതൊന്നുംതന്നെ ഈ ഓർഡിനൻസിനുപുറമേ അന്വേഷണ രീതിയിലോ മററെന്തെങ്കിലും തരത്തിലോ ഏതെങ്കിലും വ്യക്തിക്കെതിരായി ആരംഭിക്കാവുന്ന ഏതെങ്കിലും നടപടിയിൽ നിന്നും അയാളെ ഒഴിവാക്കുന്നതല്ലാത്തതുമാകുന്നു.

പി. രാമചന്ദ്രൻ,
ഗവർണ്ണർ.

(ശരിതർജമ)

എ. പി. പെരുമാൾ,
അഡീഷണൽ ലാ സെക്രട്ടറി.

GOVERNMENT OF KERALA

Home (SS.B) Department

NOTIFICATION

G. O. (Ms.) No. 8/84/Home. *Dated, Trivandrum, 1st February* 1984.

S.R.O. No. 165/84.—Whereas the places specified in the schedule below are of vital importance to the country;

And whereas information with respect thereto, or the destruction or obstruction thereof, or interference therewith, would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923), read with the Notification S.O. No. 1285 dated the 4th May, 1963 of the Ministry of Home Affairs, Government of India and in supersession of the notification G.O (Ms) No. 313/69/Home dated the 20th September, 1969; published in Part I of the Kerala Gazette No. 38 dated the 30th September, 1969 as subsequently amended by Notification G.O. (Ms.) 43/70/Home dated the 21st February, 1970, published in the Kerala Gazette No. 11 dated the 17th March, 1970 the Government of Kerala, hereby declare the places specified in the schedule below except runways taxi tracks, Apron and terminal building to be "prohibited places" for the purpose of the said Act, and direct that a copy of this notification in English and Malayalam versions be affixed to the said places.

THE SCHEDULE

District—Trivandrum. Taluk—Trivandrum.

Sl. No.	Name of Installation	Name of Place	Locality (Village)	Police Station	Boundary or other description of the area
(1)	(2)	(3)	(4)	(5)	(6)
1.	Trivandrum Aerodrome	Sankumughom	Palkulangara Village	Pettah Police Station	3 square miles surrounded by barbed wire fencing and marked by Cubical stones with the letters D.G.C.A.

(1)	(2)	(3)	(4)	(5)	(6)
					Boundary.—Road from West Fort to Valiathura on the East, Road from Chilanthimukku to Sankumughom on the South, road from Sankumughom to Chakai on the west, and sand dunes and private properties on the north.
2.	New Transmitting Station	Vettukad	Kadakampally Village	Pettah Police Station	3 Acres of land with barbed wire fencing all around and marked by cubical stones with the letters D.G.C A.
					Boundary.—Road from Sankumughom to Veli on the South, road from Aquarium to All Saints College on the North, Private properties on the east and private properties and puramboku land on the west.

Explanatory Note

(This does not form part of the notification but is intended to give its general purport).

It is considered necessary that the places mentioned in the schedule should be declared as prohibited places under the Indian Official Secrets Act, 1923 since the places are of national importance. In G.O. (Ms) No. 313/69/Home dated 20th September, 1969 and subsequently amended in G.O. (Ms) No. 43/70/Home dated 21st February, 1970, the Aerodrome area as a whole surrounded by barbed wire fencing and marked by cubical stones with the letters D.G.C.A. have been declared as prohibited place. It is considered necessary to exclude the movement areas from the purview of notification dated the 20th September 1969. This notification is intended to achieve the above object.

എസ്. ആർ. ഒ. നമ്പർ 165/84.—താഴെ പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങൾ രാജ്യത്തിന് മർമ്മ പ്രധാനമായവയായതിനാലും;

അതിനെ സംബന്ധിച്ച വിവരമോ അല്ലെങ്കിൽ അതിന്റെ നാശമോ തടസ്സപ്പെടുത്തലോ അല്ലെങ്കിൽ അതിൻമേലുള്ള ഇടപെടലോ ശത്രുവിന് ഉപയോഗപ്രദമായിരിക്കുമെന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ഇൻഡ്യാ ഗവൺമെൻറിന്റെ ആഭ്യന്തരമന്ത്രി കാര്യാലയം വക 1963 മേയ് 4-ാം തീയതിയിലെ എസ്. ഒ. നമ്പർ 1285 എന്ന വിജ്ഞാപനത്തോടു ചേർത്തു വായിച്ച പ്രകാരമുള്ള 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്ററ് (1923-ലെ 19-ാം കേന്ദ്ര ആക്ററ്) 2-ാം വകുപ്പ്, (8)-ാം ഖണ്ഡം (ഡി) എന്ന ഉപഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ചുകൊണ്ടും;

1970 മാർച്ച് 17-ാം തീയതിയിലെ 11-ാം നമ്പർ കേരള ഗസററിൽ പ്രസിദ്ധീകരിച്ച 1970 ഫെബ്രുവരി 21-ാം തീയതിയിലെ ജി. ഒ. (എം. എസ്.) 43/70/ഹോം എന്ന വിജ്ഞാപനംമൂലം പിന്നീട് ഭേദഗതി ചെയ്ത പ്രകാരമുള്ള;

1969 സെപ്ററംബർ 30-ാം തീയതിയിലെ 38-ാം നമ്പർ കേരള ഗസററിൽ 1-ാം ഭാഗത്ത് പ്രസിദ്ധീകരിച്ച 1969 സെപ്ററംബർ 20-ാം തീയതിയിലെ ജി. ഒ. (എം. എസ്.) നമ്പർ 313/69/ഹോം എന്ന വിജ്ഞാപനം റദ്ദാക്കിക്കൊണ്ടും കേരള സർക്കാർ, പ്രസ്തുത ആക്ററിന്റെ ആവശ്യത്തിനുവേണ്ടി താഴെ പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ളതും റൺവേയും ടാക്സി ട്രാക്കുകളും ഏപ്രണും അററത്തുള്ള കെട്ടിടവും ഒഴികെയുള്ളതുമായ സ്ഥലങ്ങളെ "നിരോധിത സ്ഥലങ്ങളായി" ഇതിനാൽ പ്രഖ്യാപിക്കുകയും ഈ വിജ്ഞാപനത്തിന്റെ ഇംഗ്ലീഷിലും മലയാളത്തിലുമുള്ള പരിഭാഷകളുടെ ഒരു പ്രതി പ്രസ്തുത സ്ഥലങ്ങളിൽ പതിക്കേണ്ടതാണെന്ന് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ല—തിരുവനന്തപുരം. താലൂക്ക്—തിരുവനന്തപുരം.

ക്രമ നമ്പ	സ്ഥാപനത്തിന്റെ പേര്	സ്ഥലത്തിന്റെ പേര്	പ്രദേശം (വില്ലേജ്)	പോലീസ് സ്റേറഷൻ	പ്രദേശത്തിന്റെ അതിരോ മററു വിവരണമോ
(1)	(2)	(3)	(4)	(5)	(6)
I	തിരുവനന്തപുരം വിമാനത്താവളം	ശംഖുംമുഖം	പാൽക്കുളങ്ങര വില്ലേജ്	പേട്ട പോലീസ് സ്റേറഷൻ	മുള്ളു കമ്പിവേലിയാൽ ചുററപ്പെട്ടതും ഡി. ജി. സി. എ. എന്നീ അക്ഷരങ്ങളോടു കൂടിയ ഘനവടിവുള്ള കല്ലുകൾ കൊണ്ട് അടയാളപ്പെടുത്തിയതുമായ മൂന്നു ചതുരശ്രമൈൽ.

(1)	(2)	(3)	(4)	(5)	(6)
					അതിര്: കിഴക്ക് പടിഞ്ഞാറെ കോട്ട മുതൽ വലിയതുറ വരെയുള്ള റോഡ്, തെക്ക് ചീലാന്തി മുക്കു മുതൽ ശംഖുംമുഖം വരെയുള്ള റോഡ്, പടിഞ്ഞാറ് ശംഖുംമുഖം മുതൽ ചാക്കവരെയുള്ള റോഡ് വടക്ക് മണൽപ്പുറവും സ്വകാര്യ വസ്തുക്കളും.
2	പുതിയ ട്രാൻസ്മിററിംഗ് സ്ററേഷൻ	വെട്ടുകാട്	കടകംപള്ളി	പേട്ട പോലീസ് സ്റേറഷൻ	മുള്ളു കമ്പി വേലിയാൽ ചുററപ്പെട്ടതും ഡി. ജി. സി. എം. എന്ന അക്ഷരങ്ങളോടു കൂടിയ ഘനവടിവുള്ള കല്ലുകൾ കൊണ്ട് അടയാളപ്പെടുത്തിയതുമായ മൂന്നു ഏക്കർ ഭൂമി. അതിര്: തെക്ക് ശംഖുംമുഖം മുതൽ വേളിവരെയുള്ള റോഡ്, വടക്ക് അക്വേറിയം മുതൽ ആൾസെയിൻറ്സ് കോളേജ് വരെയുള്ള റോഡ്; കിഴക്ക് സ്വകാര്യവസ്തുക്കൾ പടിഞ്ഞാറ് സ്വകാര്യവസ്തുക്കളും പുറമ്പോക്ക് ഭൂമിയും.

<u>വിശദീകരണക്കുറിപ്പ്</u>

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമാകുന്നതല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്).

പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലങ്ങൾ ദേശീയപ്രാധാന്യമുള്ള സ്ഥലങ്ങളായതുകൊണ്ട് 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്ട് പ്രകാരം നിരോധിത സ്ഥലങ്ങളായി പ്രഖ്യാപിക്കേണ്ടത് ആവശ്യമാണെന്ന് കരുതുന്നു.

1970 ഫെബ്രുവരി 21-ാം തീയതിയിലെ ജി. ഒ. (എം. എസ്.) 43/70/ഹോം എന്ന നമ്പർ ഉത്തരവു മൂലം വീണ്ടും ഭേദഗതി ചെയ്ത പ്രകാരമുള്ള 1969 സെപ്റ്റംബർ 20-ാം തീയതിയിലെ ജി. ഒ (എം.എസ്.) 313/69/ഹോം എന്ന നമ്പർ ഉത്തരവിൽ മുള്ളുകമ്പിവേലികളാൽ ചുററപ്പെട്ടതും ഡി. ജി. സി. ഏ. എന്ന അക്ഷരങ്ങളോടുകൂടിയ ഘനവടിവുള്ള കല്ലുകളാൽ അടയാളപ്പെടുത്തയിട്ടുള്ളതുമായ വിമാനത്താവള പ്രദേശം മുഴുവനും നിരോധിത സ്ഥലങ്ങളായി പ്രഖ്യാപിച്ചിരുന്നു. 1969 സെപ്റ്റംബർ 20-ാം തീയതിയിലെ വിജ്ഞാപനത്തിന്റെ പരിധിയിൽ നിന്നും സഞ്ചലന പ്രദേശങ്ങളെ ഒഴിവാക്കേണ്ടത് ആവശ്യമാണെന്ന് കരുതുന്നു. മുകളിൽ പറഞ്ഞ ആവശ്യം നിറവേററുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

N. KALEESWARAN,
Commissioner and Secretary to Government.

Kerala Gazette No. 8 dated 21st February 1984.
PART I Section iv

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. (Rt.) No. 335/84/Home. *Dated, Trivandrum,* 6*th February* 1984.

S. R. O. No. 166/84.—In exercise of the powers conferred by subsection (8) of section 24 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Kerala hereby appoint Sri Mathew Idiculla, Advocate, Quilon, as Special Public Prosecutor for the conduct of prosecution in Crime No. 137/83 of Anchal Police Station.

By order of the Governor,

N. Kaleeswaran,
Commissioner and
Secretary to Government

Explanatory Note

(This is not part of the Notification but is intended to indicate its general purport.)

Government consider it necessary in public interest to appoint a Special Public Prosecutor for tbe conduct of prosecution in Crime No. 137/83 of Anchal Police Station. This Notification is intended to achieve tbe above object.

Kerala Gazette No. 8 dated 21st February 1984
PART I Section iv

GOVERNMENT OF KERALA

Home (E) Department

NOTIFICATION

G. O. (Rt.) No. 321/84/Home *Dated, Trivandrum, 4th February* 1984

S. R. O. No. 167/84.—Under clause (s) of section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and in modification of the Notification published under G. O. (Rt) 1422/78/Home dated the 15th July, 1978 as S.R.O. No. 743/78 in Part I of the Kerala Gazette No. 31 dated the 1st August, 1978, in so far as it relates to the area of jurisdiction of the Kalady Police Station and in modification of the notification published under G.O. (Rt.) No. 742/81/Home dated the 25th March, 1981, as S.R.O. No. 378/81 in the Kerala Gazette Extraordinary No. 244 dated the 27th March, 1981, in so far as it relates to the area of Jurisdiction of the Angamaly Police Station, the Government of Kerala hereby redefine the local areas of jurisdiction of the Angamaly and Kalady Police Stations so as to include the local areas specified under column (4) of the Schedule A and B, respectively, below:

SCHEDULE—A

Name of Police Station	*Taluk*	*Village*	*Local areas of jurisdiction Karas*
(1)	(2)	(3)	(4)
Angamaly	Alwaye	Kothakulangara South	1. Angamally 2. Kothakulangara 3. Chempanoor 4. Nayathode 5. Vengoor 6. Kidangoor 7. Thuravoor 8. Peechinikad

(1)	(2)	(3)	(4)
		Kothakulangara North	1. Palissery 2. Karayamparambu 3. Mookannoor 4. Azhakom 5. Karukutty 6. Edakunnu
		Parakkadavu	1. Kodassery 2. Elavoor 3. Puliyanam 4. Mambra 5. Koratty 6. Kunnappillissery
		Manjapra	1 Poothamkutty 2. Kunnoorpilly 3. Ezhattumugham

SCHEDULE—B

Name of Police Station	*Taluk*	*Village*	*Local areas of Jurisdiction Karas*
(1)	(2)	(3)	(4)
Kalady	Alwaye	Manjapra	1. Manjapra 2. Neduvattom
		Malayattoor	Malayattoor
		Manikkamangalam	1. Manikkamangalam 2. Kalady 3. Mattur 4. Kuttili 5. Thevaramadam 6. Mekalady

	7.	Panayeli
	8.	Nettinampilli
	9.	Neeleswaram
	10.	Thottakam
	11.	Piraroor
Vadakkumbhagom	1.	Chengal
	2.	Thuravumkara
	3.	Olikkara
Kizhakkumbhagom	1.	Kanjoor
	2.	Puttiyedam
	3.	Arayankavu
	4.	Parappuram
Thekkumbhagom	1.	Kannnikuzhi South
	2.	Kannikuzhi North
	3.	Sreepootapuram
Chowarah	1.	Sreemoolanagaram
	2.	Edanad
	3.	Purayar
	4.	Chowarah

This notification shall come into force with effect from 22nd February, 1984.

By order of the Governor,
P. V. Radhalakshmi,
Additional Secretary to Government.

xplanatory Note

(This is not a part of the notification, but is intended to indicate its general purport).

Poothkumkutty, Kunnoorpilly and Ezhattumugham karas of Manjapra Village in Alwaye Taluk under the Jurisdiction of Kalady Police Station are nearer to the Angamaly Police Station than to the Kaady Police Station. So it was decided to brought these karas under the jurisdiction of the Angamaly Police Station. This notification is for that purpose.

GOVERNMENT OF KERALA

Agriculture (Co-operation-C) Department

NOTIFICATION

No. 71395/CC3/83/AD. *Dated, Trivandrum, 9th January* 1984.

S.R.O. No 168/84.—Whereas under subsection (1) of section 59 of the Kerala Co-operative Societies Act, 1969 (21 of 1969) a society shall not make a loan to any person or a society other than a member;

And whereas the Executive Committee of the Alleppey District Co-operative Bank Ltd., 4310, Alleppey has resolved to make an advance of Rs. 75,000 for a period of five years for interest at the rate of 14% to the S.N.D.P. Union, Chengannur for the construction of a building for accommodating the Chengannur branch of the Alleppey District Co-operative Bank, on the terms and conditions agreed upon for the purpose;

And whereas, S.N.D.P. Union is not a member of the said Bank;

And whereas Government on the request of the Registrar of Co-operative Societies consider it necessary in public interest to exempt the said Bank from the provisions of subsection (1) of section 59 of the Kerala Co-operative Societies Act, 1969;

Now, therefore, in exercise of the powers conferred by section 101 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), the Government of Kerala hereby exempt the Alleppey District Co-operative Bank Ltd., 4310, Alleppey from the provisions of subsection (1) of section 59 of the Kerala Co-operative Societies Act, 1969 for the limited purpose of enabling the said Bank to make a loan of Rs. 75,000 (Rupees seventy five thousand only) to the S.N.D.P. Union, Chengannur on the terms and conditions agreed upon for the purpose.

By order of the Governor,
M. R. VASUDEVAN PILLAI,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport.)

The Alleppey District Co-operative Bank Ltd., No. 4310, Alleppey has resolved to make an advance of Rs. 75,000 to the S. N. D. P. Union, Chengannur for the construction of a building for accommodating the Chengannur branch of the District Co-operative Bank, Alleppey. Since the proposed advance is for a public purpose Government propose to give necessary exemption to the District Co-operative Bank, Alleppey-the matter as required under the Kerala Co-operative Societies Act. This notification is to achieve the above object.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. G. O. Rt. 174/84/LBR. *Dated, Trivandrum, 6th February* 1984.

S. R. O. No. 169/84.—Whereas the Government of Kerala are satisfied that public interest so requires that the opening time of Anupama Theatres, Kottayam, should be fixed as 12 noon, for the purpose of conducting noon shows;

Now, therefore, in exercise of the powers conferred by subsection (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification, the said theatre, shall not be opened earlier than 9 a.m. on Saturdays, Sundays and Public Holidays which fall on other days of the week, and 12 noon on all other days, or closed on any day later than 2 a. m.

By order of the Governor,

U. MAHABALA RAO,

Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per G. O. Rt. 1187/83/LBR dated 18-10-1983 permission was granted to the Managing Partner, Anupama Theatres, Kottayam to conduct noon shows from 12 noon in his theatre for a period of 3 months He has now requested to further extend the order. Government consider that the request may be allowed for a further period of three months This notification is to achieve the above object.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G. O. (Rt.) No. 49/84/LBR. *Dated, Trivandrum*, 13*th January* 1984.

S.R.O. No. 170/84.—In exercise of the powers conferred hy section 88 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala, in consultation with the Employees' State Insurance Corporation hereby exempt the regular employees employed in Factories/Estahlishment owned or controlled by the Government of Kerala and who are governed by the provisions of the Kerala Service Rules from the operation of the provisions of the said Act for a period of one year from the 1st day of October, 1982 subject to the following conditions, namely:—

1. The Factory/establishment [sball maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, tbe employees shall continue to receive such benefits under the said Act to whicb they might have become entitled to on the basis of the contrihutions paid prior to the date of publication;

3. The contrihution for the exempted period, if already paid, sball not be refnnded;

4. The Factory/establisbment shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in snch form and containing such partiulars as were due from it in respect of the said period under the employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other official of the Corporation authorised in this bebalf shall, for the purposes of—

(i) verifying the particulars contalned in any return suhmitted under subsection (1) of section 44 of the said Act ; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said Factory/establishment he empowered to—

(a) reqnire the Factory/ estahlishment to furnish to him such information as he may consider necessary; or

(h) enter any factory, establishment, office or other premises occupied hy the said Factory/establishment at any reasonahle time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the officers of the Factory/establishment or the servants of the said Factory/establishment or any person found in such factory estahlishment, office or other premises, or any person whom the said Inspector or other official has reasonahle cause to believe to have heen an employee; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such society office or other premises of the said Factory/Establishment.

By order of the Governor,
U. MAHABALA RAO,
Commissioner and
Secretary to Government.
(Labour and Taxes.)

Explanatory Note

(This does not form part of the notification, but is intended to indicate its **general purport.)**

On the basis of the Recommendation of the E·S.I. Corporation Government as per Notification No. G.O. (Rt)169/83/LBR dated 12-10-1983 exempted the regular employees employed in Factories/Establisuments owned or controlled hy the Covernment of Kerala and by the pr visions of the KSRs from the operation of the provisions of ESI Act upto and inclusive of 30th September 1982. The Regional Director, ESI Corporation, Trichur in his letter No. 54-P 13/15/76. Co. I dated 31-10-1983 intimated Government that E.S.I. Corporation New Delhi has recommended exemption upto 30th September 1983, to the regular employees Governed by KSRs. Government have accepted the recommendation and decided to Grant exemption to the above category for a further period upto and inclusive of 30th September 1983. This notification is intended to achieve the purpose.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G.O. Rt. No. 1420/83/LBR. *Dated, Trivandrum, 8th December* 1983.

S.R.O. No. 171/84—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt the regular employees of the Handicrafts Development Corporation of Kerala Ltd., Post Box No. 171 Puthenchanthai, Trivandrum-1, from the operation of the provisions of the said Act for a period of one year from the 1st day of December, 1978, subject to the following conditions, namely:—

1. The establishment shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

3. The contribution for the exempted period, if already paid, shall not be refunded;

4. The establishment shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said establishment be empowered to—

(a) require the establishment to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment office or other premises occupied by the said establishment at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the officers of the establishment or the servants, of the said establishment or any person found in such factory establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or otber documents maintained in such society office or other premises, of tbe establishment.

By order of the Governor,
U. MAHABALA RAO,
Secretary to Government.

Explanatory note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Managing Director Handicrafts Development Corporation of Kerala Ltd. and various employees Unions of the establisbment have requested exemption to the employees of the Handicrafts Development Corporation of Kerala from the provision of ESI. Act. Government after consulting the Regional Director, ESI, Corporation placed the matter in the 35th Regional Board meeting of tbe ESIC. The Board recommended exemption for the regular employees of the said establishment. Government accepted the recommendation and decided to the exempt regular employees of the establisbment for a period of one year from 30-11-1978. This notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G. O. Rt. No. 130/84/LBR. *Dated, Trivandrum, 2nd February* 1984.

S. R. O. No. 172/84.—Whereas the Government of Kerala are satisfied that public interest so requires that the opening time of Kavitha Movie House, Cochin should be fixed as 10 a. m. for the purpose of conducting morning shows;

Now, therefore, in exercise of the powers conferred by subsection (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification, the said theatre shall not on any day be opened earlier than 10 a. m. and closed later than 2 p.m.

By order of the Governor,
U. Mahabala Rao,
Commissioner & Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

As per Notification No. G.O.Rt. 721/83/LBR dated 22-6-1983 permission was granted to conduct morning shows at Kavitha Movie House, Cochin, for a period of three months. The management of Kavitha Movie House, Cochin has requested Government to extend the permission. The Labour Commissioner has recommended the request. Government consider that the request may be allowed and permission granted for another three months.

This notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. G.O. Rt. 129/84/LBR. *Dated, Trivandrum, 2nd February* 1984.

S. R. O. No. 173/84.—Whereas the Government of Kerala are satisfied that public interest so requires that the opening time of the Sangeeta Theatre, Ernakulam should be fixed as 12 noon, for the purpose of conducting noon shows;

Now, therefore, in exercise of the powers conferred by subsection (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification, the said theatre shall not be opened earlier than 9 a. m. on Saturdays, Sundays and Public Holidays which fall on other days of the week and 12 noon on all other days, or closed on any day later than 2 a. m.

By order of the Governor,

U. MAHABALA RAO,

Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The provisions of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) are applicable to the Cinema Theatres in this State. The Lessee, Sangeeta Theatre, Ernakulam has requested Government to issue orders permitting them to conduct noonshows from 12 noon in the Sangeeta Theatre. Government consider that the request may be allowed for a period of three months. This notification is to achieve the above object.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. G. O. Rt. 124/84/LBR. *Dated, Trivandrum, 1st February* 1984.

S. R. O. No. 174/84.—Whereas the Government of Kerala are satisfied that public interest so requires that the opening time of Maharani and Yuvarani Theatres, Palai, under the management of Manarkatt Theatres, (P) Ltd., should be fixed as 12 noon, for the purpose of conducting noon shows;

Now, therefore, in exercise of the powers conferred by subsection (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification, the said theatres, shall not be opened earlier than 9 a. m. on Saturdays, Sundays and public holidays which fall on other days of the week, and 12 noon on all other days or closed on any day later than 2 a. m.

By order of the Governor,
U. MAHABALA RAO,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The provisions of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) are applicable to the Cinema Theatres in this State. The Managing Director, Manarkatt Theatres, (P) Ltd., Palai have requested Government to issue orders permitting them to conduct noon shows from 12 noon in Maharani and Yuvarani Theatres, under their management. Government consider that the request may be allowed for a period of three months. This notification is to achieve the above purpose.

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

WITHDRAWAL NOTIFICATION

G. O. Rt. No. 333/84/LA & SWD. *Dated, Trivandrum,* 25*th January* 1984.

S. R. O. No. 175/84.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the land mentioned in the Schedule hereto annexed in respect of which land acquisition proceedings were initiated by the land Acquisition Officer and the sub Collector, Kozhikode by issue of Notification No. A. 9957//80 dated 10-2-1981 under subsection (1) of section 3, thereof, published in the Mathrubhumi daily dated the 27th February, 1981 and the Deshabhimani daily dated the 16th February, 1981.

SCHEDULE

District—Kozhikode. *Taluk*—Quilandy.
Village—Balussery *Desom/Kara*—Balussery.

Survey No.—79/pt
Description—Garden
Extent in—0.4046 *Hectare*

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The District Panchayat Officer, Kozhikode has requested for acquisition of 0.4046 hectare of land in R. S. No. 79/pt. of Balussery Desom for formation of playground for Balussery Panchayat. The notification u/s. 3 (1) of Kerala Land Acquisition Act was published in the Mathrubhumi and Deshabhimani dailies on 27-2-1981 and 16-2.1981 respectively. Objection petition was received in response of the rule 3 notice served on the land occupier. On perusal of the objection petition the Government have decided to drop the acquisition proposals. Hence this withdrawal notification.

എസ്. ആർ. ഒ. നമ്പർ 175/84.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം കേരള സർക്കാർ, ഇതോടൊപ്പം ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1981

ഫെബ്രുവരി 27-ാം തീയതിയിലെ മാതൃഭൂമി ദിനപ്പത്രത്തിലും 1981 ഫെബ്രുവരി 16-ാം തീയതിയിലെ ദേശാഭിമാനി ദിനപ്പത്രത്തിലും പ്രസിദ്ധീകരിച്ച പ്രസ്തുത ആക്ററ്. 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരമുള്ള 10-2-1981-ലെ എ. 9957/80 എന്ന നമ്പർ വിജ്ഞാപനം പുറപ്പെടുവിച്ചുകൊണ്ട് കോഴിക്കോട് സ്ഥലമെടുപ്പു ഓഫീസറും സബ് കളക്ടറും സ്ഥലമെടുപ്പു നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—കോഴിക്കോട്
താലൂക്ക്—കൊയിലാണ്ടി
വില്ലേജ്—ബാലുശ്ശേരി
ദേശം/കര—ബാലുശ്ശേരി

സർവ്വേ നമ്പർ—79/ഭാഗം
വിവരണം—തോട്ടം
വിസ്തീർണ്ണം—0.4046 ഹെക്ടർ

വിശദീകരണക്കുറിപ്പ്

ബാലുശ്ശേരി ദേശത്തുള്ള ആർ. എസ് നമ്പർ 79 ഭാഗത്തിലുള്ള ഒരേക്കർ സ്ഥലം ബാലുശ്ശേരി പഞ്ചായത്തിനു കളിസ്ഥലം നിർമ്മിക്കുന്നതിനുവേണ്ടി വിലയ്ക്കെടുക്കുന്നതിന് കോഴിക്കോട് ജില്ലാ പഞ്ചായത്ത് ആഫീസർ ആവശ്യപ്പെട്ടിരുന്നു. കേരളാ സ്ഥലമെടുപ്പ് ആക്ട് 3 (1) വകുപ്പു പ്രകാരമുള്ള വിജ്ഞാപനം യഥാക്രമം 27-2-1981-ലെയും 16-2-1981-ലെയും മാതൃഭൂമി ദിനപ്പത്രത്തിലും ദേശാഭിമാനി ദിനപ്പത്രത്തിലും പ്രസിദ്ധീകരിച്ചിരുന്നു. ഭൂമി കൈവശക്കാരന് 3-ാം ചട്ടപ്രകാരമുള്ള നോട്ടീസ് നൽകിയതിനു മറുപടിയായി ആക്ഷേപഹർജി ലഭിച്ചിരുന്നു. ആക്ഷേപഹർജി പരിശോധിച്ചതിൽ സ്ഥലമെടുപ്പു നിർദ്ദേശങ്ങൾ ഉപേക്ഷിക്കാൻ സർക്കാർ തീരുമാനിക്കുകയുണ്ടായി. ആയതിനാണ് ഈ പിൻവാങ്ങൽ വിജ്ഞാപനം പ്രസിദ്ധീകരിക്കുന്നത്.

By order of the Governor,
V. R. PADMANABHAN,
Joint Secretary to Government.

GOVERNMENT OF KERALA

Local Administration and Social Welfare (G) Department

NOTIFICATION

G. O. (Ms) No. 30/84. *Dated, Trivandrum,* 10*th February* 1984.

S.R.O.No. 176/84.—In exercise of the powers conferred by subsection (1) of section 53A of the Town Planning Act, 1108 (IV of 1108), the Government of Kerala herehy make the following amendments to their Notification G. O. (MS) No. 121/81/LA&SWD dated the 8th July, 1981, puhlished as S. R. O. No. 804/81 in the Kerala Gazette Extraordinary No. 537 dated the 8th July, 1981, constituting the Kottayam Development Authority, namely:—

AMENDMENT

In the said notification for the existing schedule the following schedule shall he substituted, namely:—

SCHEDULE

Sl. No.	Name of Municipality/ Panchayat	Name of Village	Ward numbers of the Municipality/ Panchayat
1.	Kottayam Municipality	Vijayapuram Kottayam Tiruvarpu	Entire Municipality
2.	Nattakom Panchayat	Kottayam Nattakom (R)	6, 7, 8, 9, 10, 11 and 12
3.	Panachicad Panchayat	Panachicadu	8, 9, 10 and 11
4.	Vijayapuram Panchayat	Vijayapuram	8,9, 10, 11, 12, 13 and 14
5.	Kumaranallor Panchayat	Perumpaikadu	Entire Panchayat
6.	Aimanam Panchayat	Aimanam	7, 8, 9, 10 and 11
7.	Arpookarara Panchayat	Kaipuzha	1 and 2
8.	Athirampuzha Panchayat	Athirampuzha	10
9.	Thiruvarpu Panchayat	Thiruvarpu	1, 2 and 8

By order of the Governor,
S. SUBRAMONIAN,
Deputy Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

Government have constituted Kottayam Development Authority as per G. O. (MS) No. 121/81/LA & SWD dated, 8th July 1981 to carry out the provisions of the Town Planning Act, 1108 in the area included in the authority. The area is comprised of Kottayam Municipality and 7 Panchayats. Now Government propose to revise the area under the Kottayam Development Authority. The notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Revenue (B) Department

NOTIFICATION

No. 68652/B1/83/RD. *Dated, Trivandrum, 2nd January* 1984.

S. R. O. No. 177/84—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the land mentioned in the schedule hereto annexed in respect of which Notification No. D2-8512/80 dated the 1st June, 1982 by the Tahsildar Kozhikode under sub-section (1) of section 3 of the said Act has been published at page 1382 of Part III of the Kerala Gazette dated the 6th July, 1982.

SCHEDULE

District—Kozhikode *Taluk*—Kozhikode

Village—Kedavoor *Desom*—Pallipuram

R. S. No.—24/1A part
Description—Garden
Extent in hectare—0.0400

Explanatory Note

(This does not form part of the notification but is intended to Indicate the general purport. The acquisition proceedings in respect of the land in R. S. No. 24/14 pt. of Pallipuram desom, Kedavoor Village of Kozhikode Taluk measuring 0.0400 Hectare was initiated for the purpose of construction of Village Office, Kedavoor. There is serious and genuine objection to the proposed acquisition. Mean while one Sri Abdulla has relinquished 6 cents of land in Pallipuram desom for the Construction of Village Office. Hence it necessitated to withdraw the proposal for acquisitions.

The notification is intended to achieve the above object.

എസ്. ആർ. ഒ. നമ്പർ 177/84.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം കേരള സർക്കാർ, ഇതോടൊന്നിച്ച്. ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1982 ജൂലൈ 6-ാം തീയതിയിലെ കേരള ഗസറ്റ് 3-ാം ഭാഗം, 1382-ാം പേജിൽ പ്രസ്തുത ആക്റ്റ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം ഉള്ള കോഴിക്കോട് തഹസിൽദാരുടെ 1982 ജൂൺ 1-ാം തീയതിയിലെ ഡി2-8512/80 എന്ന നമ്പർ വിജ്ഞാപനം പ്രസ്തുത ആക്റ്റ് 3-ാംവകുപ്പു (1)-ാം ഉപവകുപ്പുപ്രകാര

മുമ്പ് കോഴിക്കോട് തഹശീൽദാരുടെ 1982 ജൂൺ 1-ാം തീയതിയിലെ ഡി2-8512/80 എന്ന നമ്പർ വിജ്ഞാപനം പ്രസിദ്ധീകരിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—കോഴിക്കോട്.

താലൂക്ക്—കോഴിക്കോട്. വില്ലേജ്—കെടവൂർ

ദേശം—പള്ളിപ്പുറം.

റീ സർവ്വേ നമ്പർ—24/1എ ഭാഗം
വിവരണം—തോട്ടം
വിസ്തീർണ്ണം—0.0400 ഹെക്ടർ

വിശദീകരണക്കുറിപ്പ്

ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിനു ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്. കെടവൂർ വില്ലേജ് ആഫീസിന്റെ നിർമ്മാണത്തിന് കോഴിക്കോട് താലൂക്കിൽ കെടവൂർ വില്ലേജിൽ പള്ളിപ്പുറം ദേശത്തിലുള്ള റീ. സർവ്വേ 24/1എ ഭാഗം എന്ന നമ്പരിലുള്ള 0.0400 ഹെക്ടർ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിനുള്ള സ്ഥലമെടുപ്പ് നടപടികൾ ആരംഭിച്ചിരുന്നു. നിർദ്ദിഷ്ട സ്ഥലമെടുപ്പിന് ഗൗരവവും വാസ്തവവുമായ എതിർപ്പുണ്ട്. ഇതിനിടയിൽ അബ്ദുള്ളയെന്ന ആൾ വില്ലേജ് ആഫീസിന്റെ നിർമ്മാണത്തിനുവേണ്ടി, പള്ളിപ്പുറം ദേശത്ത് 6 സെന്റ് സ്ഥലം വിട്ടുകൊടുത്തു. ആയതുകൊണ്ട് നിർദ്ദേശിക്കപ്പെട്ട സ്ഥലമെടുപ്പിൽ നിന്നും പിൻവാങ്ങേണ്ടത് ആവശ്യമായി തീർന്നു. മേൽ പറഞ്ഞ ആവശ്യം നിറവേറ്റുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
K. PADMANABHAN NAMBIAR,
Deputy Secretary to Government.

Kerala Gazette No. 8 dated 21st February 1984.
PART I

Section iv

GOVERNMENT OF KERALA

Home (SS. B) Department

NOTIFICATION

G.O. (Ms.) No. 1/84/Home. *Dated, Trivandrum, 4th Janurary* 1984

S.R.O.No. 178/84.—Whereas the place specified in the schedule below are of vital importance to the country;

And whereas information with respect thereto or the destruction or obstruction thereof or interference therewith would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923), read with Notification S. O. No. 1285 dated the 4th May, 1963 of the Ministry of Home Affairs, Government of India, the Government of Kerala hereby declare the places specified in the Schedule below to be prohibited places for the purposes of the said Act and direct that a copy of this notification in English and Malayalam versions be affixed to the said place.

SCHEDULE

Name of District—Idukki

Name of taluk—Udumbanchola

Locality (Village)—Kalkoonthal

Sl. No.	Name of Project	Name of place	Survey No.	Area	Name of Police Station	Boundaries or other description
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Idukki Hydro Electric Project Stage III	Kallar dam	Nil	1.5 Hectares	Nedumkandom	Dam site and work area as marked at site by boundary stones. *Boundary*:— North—Footpath leading to Chakkakonam estate.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
						East—Kumili—Munnar Road (upto 150 M from dam axis) South—Along the cutting side of dam top road from Kumili Munnar Road. West—Up to a distance of 150 metre from dam axis towards downstream Approximate Dimension 300 x 500 Metre
2	Idukki Hydro Electric project Stage III.	Colony and office at Kallar	Nil	1.80 Hectares	Nedum-kandom	Area demarcated by Barbed wire fencing around colony. *Boundry*:— North—Kumili Murnar Road (Between KM 66-65 from Kumily) East—Land owned by Shri P. G. Muraleedharan and Thodu South—Thodu West—Land owned by Shri Mammunju
3	Do.	Kallar tunnel inlet area and leading channel	Portion of 1853	.3 Hec.	do.	*Land Mark*:—The channel from Kallar bridge site to Tunnel inlet the inlet portion, protection walls compressor sheds, field offices, stores, workshops located in the valley — Demarcrated by boundary stones Dimensions 500 x 60 metre

4	Do.	Kallar tunnel exit at Mannankudy	Portion of 46/1 1057/1	4.635 Hec.	Katta-ppana	Tunnel exit and work area demarcated by boundary stones. *Land marks:*—The Channel from the tunnel exit, Retaining walls and the Thovalathodu, River trained up to the bridge crossing. Approximate dimension—235m x 200m
5	Do.	Kallar tunnel exit to Erattayar reservoir channel alignment	do.	do.	do.	do.
6	Do.	Erattayar Dam	1/1	6 Hec.	Nedum-kandam	Dam site, quarry crusher site, office, contractors office, labour sheds, right bank of dam, cement store, water tank, Mixer-shed and compressor house, partly demarcated by barbed wire fencing including demarcated with boundary stones.
7	Do	Colony and offices at Erattayar	1/1	6.105 Hec.	do.	Area demarcated by barbed wire fencing excluding the roads Vazhavara to Chembalam and from Chemakappara to Erattayar (Panchayat road) comprising 8 residential buildings and 5 acquired buildings of Kerala State Electricity Board situated in the area and one concrete control laboratary, 2 office building, filter house and 2 water tank. Demarcated by barbed wire fencing and boundary stones. Area 100 x 250 Metre 200 x 200 Metre

(1)	(2)	(3)	(4)	(5)	(6)	(7)
8	Idukki Hydro Electric Project Stage III.	Erattayar tunnel inlet area	1/1	256 Hec.	Nedum-kandom	The area comprising the Tunnel portion the open cut channel, eastern lands trash rack arrangements complete and muck dump yard etc, right side of Erattayar Nalumukku road Land marks fenced with barbed wire and corners demarcated with stones. Area—200 x 160 Meter

Explanatory Note

(This does not form part of the notification but is intended to give its general purport.)

It is considered that the places mentioned in the schedule should be declared as prohibited places under the Indian Official Secrets Act, 1923 since the installations are of national importance. The above notification is intended to achieve this object.

എസ്. ആർ. ഒ. നമ്പർ 178/84.—താഴെ പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങൾ രാജ്യത്തിന് മർമ്മപ്രധാനമായതിനാലും;

അതു സംബന്ധിച്ച വിവരമോ അഥവാ അത് നശിപ്പിക്കുന്നതോ അതിനു പ്രതിബന്ധം സൃഷ്ടിക്കുന്നതോ അഥവാ അതിൻമേലുള്ള ഇടപെടലോ ഒരു ശത്രുവിന് ഉപയോഗപ്രദമായിരിക്കുമെന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ഇൻഡ്യാ ഗവൺമെൻറിൻെറ ആഭ്യന്തരമന്ത്രികാര്യാലയം വക 1963 മേയ് 4-ാം തീയതിയിലെ എസ്. ഒ. നമ്പർ 1285 എന്ന വിജ്ഞാപനത്തോടു ചേർത്തുവായിച്ച പ്രകാരമുള്ള 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്റ്റ് (1923-ലെ 19-ാം കേന്ദ്ര ആക്റ്റ്) 2-ാം വകുപ്പ് (8)-ാം ഖണ്ഡം (ഡി) എന്ന ഉപഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള സർക്കാർ പ്രസ്തുത ആക്റ്റിൻെറ ആവശ്യങ്ങൾക്കുവേണ്ടി താഴെ പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിരിക്കുന്ന സ്ഥലങ്ങളെ "നിരോധിത സ്ഥലങ്ങൾ" ആയി ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ഈ വിജ്ഞാപനത്തിൻെറ ഇംഗ്ലീഷിലും മലയാളത്തിലുമുള്ള ഓരോ പകർപ്പ് പ്രസ്തുത സ്ഥലങ്ങളിൽ പതിക്കേണ്ടതാണെന്ന് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ലയുടെ പേര്—ഇടുക്കി

താലൂക്കിൻെറ പേര്—ഉടുമ്പൻ ചോല. (പ്രദേശം (ഗ്രാമം) — കൽകൂന്തൽ.

ക്രമ നമ്പർ	പദ്ധതിയുടെ പേര്	സ്ഥലത്തിൻെറ പേര്	സർവ്വെ നമ്പർ	വിസ്തീർണ്ണം ഹെക്ടർ	പോലീസ് സ്റ്റേഷൻ	അതിർത്തികൾ അഥവാ മററു വിവരണം
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	ഇടുക്കി ജല വൈദ്യുത പദ്ധതി 3-ാം ഘട്ടം	കല്ലാർ അണക്കെട്ട്	ഇല്ല	1.5	നെടുംകണ്ടം	അതിർത്തി കല്ലുകൾ മൂലം സ്ഥലത്ത് അടയാളപ്പെടുത്തിയ പ്രകാരമുള്ള അണക്കെട്ട് സ്ഥലവും പണി സ്ഥലവും അതിർത്തി:— വടക്ക്—ചക്കക്കാനം തോട്ടത്തിലേക്കുള്ള നടപ്പാത കിഴക്ക്—കുമളി-മൂന്നാർ റോഡ് (അണക്കെട്ടിൽ നിന്നും 150 മീററർ വരെ) തെക്ക്—കുമളി-മൂന്നാർ റോഡിൽ നിന്നുമുള്ള ഡാം ടോപ്പ് റോഡിൻെറ കട്ടിംഗ് വശത്തുകൂടെ പടിഞ്ഞാറ്—അണക്കെട്ടിൽ നിന്നും താഴോട്ട് 150 മീററർ വരെയുള്ള ദൂരത്തിൽ—ഏകദേശ അളവ് 300 × 500 മീററർ

(1)	(2)	(3)	(4)	(5)	(6)	(7)
2	ഇടുക്കി ജല വൈദ്യുത പദ്ധതി 3-ാം ഘട്ടം	കല്ലാറിലുള്ള കോളനിയും ആഫീസും	ഇല്ല	1.80	നെടുംകണ്ടം	കോളനിക്ക് ചുററും മുള്ളു കമ്പി വേലി കൊണ്ട് അതിർത്തി നിർണ്ണയം ചെയ്യപ്പെട്ട ഭാഗം അതിർത്തി:— വടക്ക്—കുമളി-മൂന്നാർ റോഡ് (കുമളിയിൽ നിന്നും 66–65 കി. മീററിനിടയ്ക്ക്) കിഴക്ക്—പി. ജി. മുരളീധരന്റെ ഉടമസ്ഥതയിലുള്ള സ്ഥലവും തോടും തെക്ക്—തോട് പടിഞ്ഞാറ്—ശ്രീ മമ്മുഞ്ഞിന്റെ ഉടമസ്ഥതയിലുള്ള സ്ഥലം
3	ടി	കല്ലാർ ടണൽ ഇൻലെററ് പ്രദേശവും ലീഡിംഗ് ചാനലും	1853 ന്റെ ഭാഗം	3	ടി	അതിരടയാളം :— കല്ലാർ ബ്രിഡ്ജ് സെററിൽനിന്ന് ടണൽ ഇൻലെററിലേക്കുള്ള ചാനൽ ഇൻലെററ് ഭാഗം, സംരക്ഷണഭിത്തികൾ, കംപ്രസ്സർ ഷെഡ്ഡുകൾ, ഫീൽഡ് ആഫീസുകൾ, സ്റേറാറുകൾ,താഴ്വരയിൽ സ്ഥിതിചെയ്യുന്ന വർക്ക് ഷോപ്പുകൾ—അതിർത്തി കല്ലുകൾമൂലം അതിർത്തി നിർണ്ണയിച്ചിട്ടുള്ളത്. അളവ് 500×60 മീററർ.

4	ടി	മണ്ണാക്കുടിയി ലുള്ള കല്ലാർ ടണൽ എക്സിററ്	46/1 ന്റെയും 1057/1 ന്റെയും ഭാഗം	4.635	കട്ടപ്പന	അതിർത്തിക്കല്ലുകൾ മൂലം അതിർത്തി നിർണ്ണയിച്ചിട്ടുള്ള ടണൽ എക്സിററും പണിസ്ഥലവും അതിരടയാളങ്ങൾ; —ടണൽ എക്സിററിൽ നിന്നുള്ള ചാനലും റീട്ടയിനിംഗ് ചുമരുകളും തോവാള തോടും, ബ്രിഡ്ജ് ക്രോസിംഗ് വരെയുള്ള നദിയും ഏകദേശ അളവ് 235×200 മീററർ.
5	ടി	ഇരട്ടയാർ റിസർവോയർ ചാനൽ ഏകരേഖണത്തിലേക്കുള്ള കല്ലാർ ടണൽ എക്സിററ്	ടി	ടി	കട്ടപ്പന	ടി
6	ടി	ഇരട്ടയാർ അണക്കെട്ട്	1/1	6	നെടുംകണ്ടം	അണക്കെട്ടു സ്ഥലം, കല്ല് പൊട്ടിക്കുന്ന സ്ഥലം, ആഫീസ്, കോൺട്രാക്ടറുടെ ആഫീസ്, പണിശാലകൾ, അണക്കെട്ടിന്റെ വലതുകര, സിമന്റ് സ്റേറാർ, വാട്ടർ ടാങ്ക്, മിക്സർ ഷെഡ്, കംപ്രസ്സർ ഹൗസ് എന്നിവ അതിർത്തി കല്ലുകൾ ഇട്ട് തിരിക്കപ്പെട്ടതുൾപ്പെടെ ഭാഗികമായി മുള്ളു കമ്പി വേലി കൊണ്ട് അതിർത്തി നിർണ്ണയിച്ചിട്ടുള്ളത്.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
7	ഇടുക്കി ജല വൈദ്യുത പദ്ധതി 3-ാം ഘട്ടം	കോളനിയും ഇരട്ടയാറുള്ള ആഫീസുകളും	1/1	6.105	നെടുംകണ്ടം	ആ പ്രദേശത്ത് സ്ഥിതിചെയ്യുന്ന കേരളാ സ്റ്റേറ്റ് ഇലക്ട്രിസിറ്റി ബോർഡ് എടുത്ത 8 വാസഗൃഹങ്ങളും 5 കെട്ടിടങ്ങളും ഒരു കോൺക്രീറ്റ് കൺട്രോൾ ലബോറട്ടറിയും 2 ആഫീസ് കെട്ടിടവും, ഫിൽറ്റർ ഹൗസും, 2 വാട്ടർ ടാങ്കും ഉൾപ്പെടുന്നതും വാഴവര മുതൽ ചെമ്പളം വരെയും ചെമ്പകര മുതൽ ഇരട്ടയാർ വരെയുമുള്ള റോഡുകളും (പഞ്ചായത്ത് റോഡ്) ഒഴിവാക്കിക്കൊണ്ട് ഉള്ളതും മുള്ളുകമ്പിവേലി കൊണ്ട് അതിർത്തി നിർണ്ണയിക്കപ്പെട്ടതുമായ പ്രദേശം, മുള്ളു കമ്പി വേലികൊണ്ടും അതിർത്തികല്ലുകൾകൊണ്ടും അതിർത്തി നിർണ്ണയിക്കപ്പെട്ടത്. വിസ്തീർണ്ണം 100×250 മീറ്റർ, 200×200 മീറ്റർ.
8	ടി	ഇരട്ടയാർ ടണൽ ഇൻലെറ്റ് പ്രദേശം	1/1	256	ടി	ഇരട്ടയാർ നാലുമുക്ക് റോഡിന്റെ വലതുവശത്തുള്ള ഓപ്പൺ കട്ട് ചാനലിന്റെ ടണൽ ഭാഗവും, കിഴക്കൻ സ്ഥലങ്ങൾക്കുള്ള ചവറുകൾ ഇടുന്നതിനുള്ള സജ്ജീ

കരണങ്ങൾ മുഴുവനും വളം കൊണ്ടിടുന്ന സ്ഥലവും ഉൾപ്പെടുന്ന പ്രദേശം. മുള്ളുകമ്പികൾമൂലം വേലി കെട്ടിയിട്ടുള്ള അതിരടയാളങ്ങളും കല്ലുകൾ കൊണ്ട് അതിർത്തി നിർണ്ണയിക്കപ്പെട്ടിട്ടുള്ള മൂലകളും. വിസ്തീർണ്ണം 200 × 160 മീററർ.

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമാകുന്നതല്ല. എന്നാൽ അതിന്റെ പൊതുഉദ്ദേശം സൂചിപ്പിക്കുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്).

സ്ഥാപനങ്ങൾ ദേശീയപ്രാധാന്യമുള്ളവയാകയാൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങൾ 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്ററ് പ്രകാരം നിരോധിത സ്ഥലങ്ങളായി പ്രഖ്യാപിക്കേണ്ടതാണെന്നു കരുതുന്നു. ഈ ലക്ഷ്യം നേടുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് മേൽപ്പറഞ്ഞ വിജ്ഞാപനം.

By order of the Governor,

N. KALEESWARAN,

Commissioner and Secretary to Government.

Government of Kerala
1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Tuesday, 21st February 1984 / 2nd Phalguna 1905 [No. 140

GOVERNMENT OF KERALA

Taxes (A) Department

NOTIFICATION

G.O. (MS) 28/84/TD. *Dated, Trivandrum, 16th February,* 1984.

S. R. O. No. 180/84.—In exercise of the powers conferred by section 18A and 29 of the Abkari Act I of 1077, the Government of Kerala, hereby make the following rules further to amend the Kerala Abkari Shops (Disposal in Auction) Rules, 1974, namely:—

Rules

1. *Short title and commencement.*—(i) These rules may be called the Abkari Shops (Disposal in Auction) Amendment Rules, 1984.

(ii) They shall come into force on the 1st day of April 1984.

2. *Amendment of the rules.*—In the Kerala Abkari Shops (Disposal in Auction) Rules, 1974,—

(i) for the proviso to sub-rule (1) of rule 3, the following proviso shall be substituted, namely:—

"Provided that the Government shall have the right to grant the privilege of vending foreign liquor in all or any of the independent

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wholesale shops, to the Kerala State Civil Supplies Corporation Ltd., or to any other Corporation that may be formed by the Government without public auction, at the rate of such rental as may be fixed by the Board of Revenue (Excise)";

(ii) after rule 9, the following rule shall be inserted, namely:—

"9A. The licensee shall purchase his supplies of foreign liquor only from FL1 licensees in the State."

(iii) after rule 11, the following rule shall be inserted, namely:—

"11A. The licensee shall purchase his supplies of foreign liquor only from the Corporation owned by the Government and holding FL9 licence in the State."

By order of the Governor,

U. Mahabala Rao,
Commissioner and Secretary to Government.

Explanatory Note

This does not form part of the amendment, but is intended to indicate its general purport.

Government have decided to form a Corporation under public sector to be the sole agency for supply of foreign liquor to the licensed dealers. The wholesale (FL 1) licensees will have to obtain foreign liquor only from the Corporation with effect from 1-4-1984. The amendment is intended to achieve the above object.

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GOVERNMENT OF KERALA

Taxes (A) Department

NOTIFICATION

G.O. (MS) 29/84/TD. *Dated, Trivandrum, 16th February,* 1984.

S. R. O. No. 181/84.—In exercise of the powers conferred by sections 18A, 24 and 29 of the Abkari Act I of 1077, the Government of Kerala hereby make the following rules further to amend the Foreign Liquor Rules, namely:—

RULES

1. *Short title and commencement.*—(i) These rules may be called the Foreign Liquor (Amendment) Rules, 1984.

(ii) They shall come into force on the first day of April, 1984.

2. *Amendment of the rules.*—In the Foreign Liquor Rules,—

(1) (i) in rule 13,—(i) in clause (1) after the last sentence, the following sentence shall be added, namely:—

"The licence under this rule shall be subject to the condition that the licensee shall procure his supplies of foreign liquor only from the FL9 licensees in the State";

(ii) in clause (2) after the last sentence, the following sentence shall be added, namely:—

"The licence under this rule shall be subject to the condition that the licensee shall procure his supplies of foreign liquor only from the FL1 licensees in the State.";

(iii) in clause (3), in the fifth paragraph, the words, letters and figures "or FL10" shall be omitted;

(iv) in clause (10) after the last sentence, the following sentence and proviso shall be added, namely:—

"The licence under this rule shall be subject to the condition that the licensee shall supply foreign liquor in wholesale only to the FL9 licensees in the State. Provided that this restriction shall not apply to the export of foreign liquor outside the State";

(2) in FORM FL1,—

(i) for condition 2, the following condition shall be substituted, namely:—

"2. The sale of foreign liquor in any quantity less than one pint at a time to one person is prohibited";

(ii) after condition 39, the following condition shall be inserted, namely:—

"40. The licence under this rule shall be subject to the condition that the licensee shall procure his supplies of foreign liquor only from FL9 licensees in the State";

(3) in FORM FL3, for condition 1 A the following condition shall be substituted, namely:—

"1A. The licence under this rule shall be subject to the condition that the licensee shall procure his supplies of foreign liquor only from FL1 licensees in the State";

(4) in FORM FL10, in condition 1, for the first sentence the following sentences shall be substituted, namely:—

"The licence under this rule shall be subject to the condition that the licensee shall supply foreign liquor in wholesale only to the FL9 licensees in the State. But this restriction will not apply to the export of foreign liquor outside the State."

By order of the Governor,

U. MAHABALA RAO,
Commissioner and Secretary to Government.

Explanatory Note

This is not part of the amendment, but is intended to indicate its general purport.

Consequent on the formation of a Public Sector Corporation to function as the sole agency for the distribution of foreign liquor, the wholesale licensed dealers (FL1 licensees) will have to obtain their requirements of foreign liquor only from FL9 licensees and FL (R) (FL 2) and Hotel (Restaurant) licensees (FL3) from FL1 licensees in the State, and. FL10 licensees will have to sell foreign liquor in wholesale only to the FL9 licensees in the State. This amendment is intended to achieve the above objects.

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1984

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GOVERNMENT OF KERALA

Public Works (D) Department

ERRATA

(1)

No. 33271/D1/83-1/PW. *Dated, Trivandrum, 18th February 1984.*

In the Schedule to the Declaration No. 58417/D1/80/PW. dated the 31st December, 1980 issued under section 6 of the Kerala Land Acquisition Act, 1961, (21 of 1962) and published in the Kerala Gazette Extraordinary No. 6 dated the 3rd January, 1981,

(1) in the entries against serial number 11, *for* "wet" *read* "wet converted into dry";

(2) in the entries against serial number 17, *for* "wet" *read* "wet converted into dry".

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 6-ാം വകുപ്പ് പ്രകാരം പുറപ്പെടുവിച്ചതും 1981 ജനുവരി 3-ാം തീയതിയിലെ 6-ാം നമ്പർ അസാധാരണ കേരള ഗസറ്റിൽ പ്രസിദ്ധീകരിച്ചതുമായ 1980 ഡിസംബർ 31-ാം തീയതിയിലെ 58417/ഡി1/80/പി. ഡബ്ളിയു. നമ്പർ പ്രഖ്യാപനത്തിന്റെ പട്ടികയിൽ:—

(1) ക്രമനമ്പർ 11-നു എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം" എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്;

(2) ക്രമനമ്പർ 17-നു എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം" എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്.

33/618/L.

(2)

No. 33271/D1/83-2/PW. *Dated, Trivandrum, 18th February 1984.*

In the Schedule to the Declaration (1) No. 25555/D1/81/PW. dated the 3rd July, 1981 issued under section 6 of the Kerala Land Acquisition Act, 1961 (21 of 1962), and published in the Kerala Gazette Extraordinary No. 527 dated the 6th July, 1981.

(1) In the entries against serial number 9, *for* "wet" *read* "wet converted into dry";

(2) In the entries against serial number 12, *for* "wet" *read* "wet converted into dry";

(3) In the entries against serial number 22, *for* "wet" *read* "wet converted into dry";

(4) In the entries against serial number 23, *for* "wet converted into dry" *read* "wet".

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 6-ാം വകുപ്പ് പ്രകാരം പുറപ്പെടുവിച്ചതും 1981 ജൂലായ് 6-ാംതീയതിയിലെ 527-ാം നമ്പർ അസാധാരണ കേരള ഗസററിൽ പ്രസിദ്ധീകരിച്ചതുമായ 1981 ജൂലായ് 3-ാം തീയതിയിലെ 25555/ഡി1/81/പി. ഡബ്ല്യു. എന്ന നമ്പർ പ്രഖ്യാപനത്തിന്റെ പട്ടികയിൽ:—

(1) ക്രമനമ്പർ 9-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം" എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്;

(2) ക്രമനമ്പർ 12-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം" എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്;

(3) ക്രമനമ്പർ 22-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം" എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്;

(4) ക്രമനമ്പർ 23-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം പുരയിടമാക്കി മാററിയത്" എന്നതിനു പകരം "നിലം" എന്നു വായിക്കേണ്ടതാണ്.

(3)

No. 33271/D1/83-3/PW. *Dated, Trivandrum, 18th February 1984.*

In the schedule to the Declaration (1) No. 33738/D1/81/PW. dated the 6th August, 1981 issued under section 6 of the Kerala Land Acquisition Act, 1961 (21 of 1962) and published in the Kerala Gazette Extraordinary No 629 dated the 8th August, 1981,

(1) in the entries against serial number 11, *for* " ,, " *read* "wet converted into dry";

(2) in the entries against serial number 12, *for* " ,, " *read* "wet land";

(3) in the entries against serial number 17, *for* "wet land" *read* "wet converted into dry".

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 6-ാം വകുപ്പു പ്രകാരം പുറപ്പെടുവിച്ചതും 1981 ആഗസ്റ്റ് 7-ാംതീയതിയിലെ 629-ാം നമ്പർ അസാധാരണ കേരള ഗസററിൽ പ്രസിദ്ധീകരിച്ചതുമായ 1981 ആഗസ്ററ് 6-ാം തീയതിയിലെ 33738/ഡി1/81/പി. ഡബ്ലിയു. എന്ന നമ്പർ പ്രഖ്യാപനത്തിന്റെ പട്ടികയിൽ:—

(1) ക്രമനമ്പർ 11-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, " ,, " എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്;

(2) ക്രമനമ്പർ 12-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, " ,, " എന്നതിനു പകരം "നിലം" എന്നു വായിക്കേണ്ടതാണ്;

(3) ക്രമനമ്പർ 17-ന് എതിരെയുള്ള രേഖപ്പെടുത്തലിൽ, "നിലം" എന്നതിനു പകരം "നിലം പുരയിടമാക്കി മാററിയത്" എന്നു വായിക്കേണ്ടതാണ്.

By order of the Governor,
K. RAGHAVA KURUP,
Joint Secretary to Government

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